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THE

DIPLOMATIC CORRESPONDENCE

OF THE

UNITED STATES OF AMERICA,

FROM THE

TREATY OF PEACE

TO THE ADOPTION OF THE

PRESENT CONSTITUTION.

VOL III.

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THE

DIPLOMATIC CORRESPONDENCE

OF THE

UNITED STATES OF AMERICA,

FROM THE SIGNING OF THE

DEFINITIVE TREATY OF PEACE,

10TH SEPTEMBER, 1783,

TO THE

ADOPTION OF THE CONSTITUTION, MARCH 4, 1789.

BEING

THE LETTERS OF THE PRESIDENTS OF CONGRESS, THE SECRETARY FOR FOREIGN AFFAIRS—AMERICAN MINISTERS AT FOREIGN COURTS, FOREIGN MINISTERS NEAR CONGRESS—REPORTS OF COMMITTEES OF CONGRESS, AND REPORTS OF THE SECRETARY FOR FOREIGN AFFAIRS ON VARIOUS LETTERS AND COMMUNICATIONS;

TOGETHER WITH

LETTERS FROM INDIVIDUALS ON PUBLIC AFFAIRS.

Published under the direction of the Secretary of State, from the original Manuscripts in the Department of State, conformably to an Act of Congress, approved May 5, 1832.

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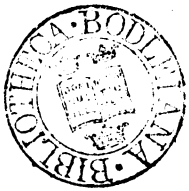

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From the same to the same. Paris, September 22d, 1787. - - - - - - - - - 302
A promise on the part of the French government of a reduction of duties. Revolution in public opinion as to the powers of the monarch.

From the same to the same. Paris, September 22d, 1787. - - - - - - - - - 303
Invasion of Holland by the King of Prusia. Success of the Stadtholder. March of the Russian army towards the frontier of Turkey.

From the same to the same. Paris, September 24th, 1787. - - - - - - - - - 304
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From Thomas Jefferson to John Adams. Paris, September 28th, 1787. - - - - - 305
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From Thomas Jefferson to M. Dumas. Paris, Oct. 24th, 1787. - - - - - - - - 308

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From Thomas Jefferson to John Jay. Paris, Oct. 8th, 1787. - - - - - - - - 309

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From Thomas Jefferson to John Jay. Paris, Oct. 8th, 1787. - - - - - - - - 313

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From Thomas Jefferson to M. Le Comte de Moustier. Paris, October 9th, 1787. - - - 315

On his appointment as Minister to the United States.

From Thomas Jefferson to M. Dumas. Paris, Oct. 14th, 1787. - - - - - - - - 316

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From Thomas Jefferson to John Jay. Paris, Nov. 3d, 1787. - - - - - - - - 320

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From Thomas Jefferson to William Carmichael. Paris, Dec. 11th, 1787. - - - - - 340

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From Thomas Jefferson to John Adams. Paris, Dec. 12th, 1787. - - - - - - - 345

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From Thomas Jefferson to James Madison. Paris, Dec. 20th, 1787. - - - - - - - 347

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From Thomas Jefferson to M. Le Comte de Bernstorff, Minister of Foreign Affairs, Copenhagen. Paris, January 21st, 1788. - - - - 360

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Commodore Jones has departed for Copenhagen. Letter from the bankers Messrs. Willinks and Staphorsts. Extract therefrom. Financial affairs. Critical situation of American credit. Offers to proceed to Holland.

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by the French merchants. An *arret* passed abridging the *entrepot* of codfish. Advices from the Bankers of the state of the finances.

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Delay in the settlement of account how occasioned. Relative to outfit. Insufficiency of salary alone to support a foreign minister. Mr. Jay requested to confer with Mr. Madison upon the subject.

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From Thomas Jefferson to John Jay. Paris, May 30th, 1788. - - - - - - - - 412

Delay of Mr. Warville affords an opportunity of conveying farther intelligence of the proceedings at Paris.

From John Jay to Thomas Jefferson. September 23d, 1788. - - - - - - - - 412

Letters received to the 30th May. Encloses an act of Congress authorizing the subsistence of the captives at Algiers. Postpones details in reply to subject of salary and outfit for a private letter.

From Thomas Jefferson to the Comte De Bernstoff. Paris, June 19th, 1788. - - - - - 414

Refers to a former letter on the subject of the prizes taken by Admiral Paul Jones and sent into Norway. That officer was delegated to arrange the affair. Mr. Jefferson is in possession of full powers on that subject; but the commission for forming treaties of amity and commerce has expired. Presses a final settlement of the claim upon Denmark.

From Thomas Jefferson to Count De Montmorin. Paris, June 20th, 1788. - - - - - 416

Gives a general idea of the changes which should be made in the Consular Convention. Reasons assigned at large for the proposed alterations.

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Proceedings of the Noblesse of Bretagne. Arrival of Ambassadors from Tippoo Saib. Hostilities commenced by Sweden against Russia. Progress of the Turkish war. Dispute between the Papal See and the King of Naples. Two volumes of Silas Deane's letters offered for sale to Mr. Jefferson. Extract from the account book. On the purchase of the liquidated domestic debt by foreigners. Reply of the King to the Deputies and Commissioners of the States of Brittany, (430.) Extract from Silas Deane's account book, (432.)

From Thomas Jefferson to John Jay. Paris, Aug. 10th, 1788. - - - - - - - 437

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From the same to the same. Paris, Aug. 11th, 1788. - - - - - - - - - 438

An *arret* for the assembling of the States General. Intelligence from Algiers. Excessive demand for the redemption of prisoners. Dispute between Algiers and France.

From John Jay to Thomas Jefferson. Nov. 25th, 1788. - - - - - - - - 441

Letters acknowledged to the 11th August. Advises the purchase of Silas Deane's books. Transmits a letter from Robert Montgomery of Alicant, on Barbary affairs. Mr. Nesbit the bearer.

From Thomas Jefferson to W. Carmichael. Paris, Aug. 12th, 1788. - - - - - - 443

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From Thomas Jefferson to John Jay. Paris, Aug. 26th, 1788. - - - - - - - - 445

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From the same to the same. Sept. 3d, 1788. - 447

Continuation of French affairs. Disorders in Paris. Appointment of Mr. Necker. From the same to the same. Paris, Sept. 6, 1788. Relative to the appropriation of the loan of a million of guilders.

From the same to the same. Paris, Sept. 24th, 1788. - - - - - - - - 451

The Russians had overrated their victory on the Black Sea. Believes the Captain Pacha still master of

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that sea. Affairs of Europe. The Deputies of Brittany are released.

From Thomas Jefferson to the Commissioners of the Treasury. Paris, Sept. 6th, 1778. - - 453

Transmits certain papers by Mr. Vannet, to be delivered at New York. The ratification of the loan of '88 received.

From Thomas Jefferson to John Jay. Paris, Nov. 14th, 1788. - - - - - - - - 455

Cause of the delay of entering upon the Consular Convention, at length completed, and the original transmitted for the ratification of Congress. A brief enumeration of the changes effected. Encloses the several schemes successively proposed. Observations upon Consular appointments. Preference to be given to native citizens over aliens. Adds local observations on the ports of France. State of the dispute with Schweighauser & Dobree. First form proposed on the part of the United States (464) First counter proposition on the part of France (473) Second form proposed on the part of the United States (488). Consular Convention as finally signed, (497.)

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THE

DIPLOMATIC CORRESPONDENCE

OF THE

UNITED STATES.

VOL. III.—1

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THE

CORRESPONDENCE

OF

THOMAS JEFFERSON,

ONE OF THE COMMISSIONERS FOR THE FORMATION OF TREATIES OF AMITY AND COMMERCE, AND MINISTER PLENIPOTENTIARY TO FRANCE.

WITH

THE ANSWERS OF JOHN JAY,

SECRETARY FOR FOREIGN AFFAIRS.

FROM THOMAS JEFFERSON TO JOHN JAY.

Paris, March 5, 1786.

Sir,

The several commissions to which Congress were pleased to appoint Colonel Humphreys, Secretary of Legation, being shortly to expire, and a French packet offering him a convenient passage in the month of April, he proposes to avail himself of that occasion of returning to his own country, and of there presenting his respects and thanks to Congress.

As a member of the several commissions with which his office was connected, I think it my duty to bear testimony to his ready, able and faithful discharge of all its duties; and I beg leave, through you to Congress, to assure them, that his talents and dispositions are such, as they may repose themselves on with security, should they think proper to avail our country of them, on any future occasion. I have the honor to be, &c.

TH: JEFFERSON.

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FROM THOMAS JEFFERSON TO JOHN JAY.

London, March 12, 1786.

Sir,

The date of a letter from London will doubtless be as unexpected to you, as it was unforeseen by myself a few days ago. On the 27th of thc last month, Col. Smith arrived in Paris with a letter from Mr. Adams informing me, that there was at this place a Minister from Tripoli, having general powers to enter into treaties on behalf of his State, and with whom it was possible we might do something in our commissions to that power; and that he gave reason to believe he could also take arrangements with us for Tunis.

He further added that the Minister of Portugal here had received ultimate instructions from his Court, and that probably that treaty might be concluded in the space of three weeks, were we all on the spot together.

He therefore pressed me to come over immediately.

The first of these objects had some weight on my mind, because as we had sent no person to Tripoli or Tunis, I thought if we could meet a Minister from them on this ground, our arrangements would be settled much sooner and at less expense. But what principally decided with me was the desire of bringing matters to a conclusion with Portugal, before the term of our commission should expire, or any new turn in the negotiations of France and England, should abate their willingness to fix a connexion with us.

A third motive had also its weight. I hoped that my attendance here, and the necessity of shortening it, might be made use of to force a decisive answer from this Court.

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I therefore concluded to comply with Mr. Adams' request.

I went immediately to Versailles and apprised the Count de Vergennes, that circumstances of public duty called me hither for three or four weeks, arranged with him some matters, and set out with Col. Smith for this place, where we arrived last night; which was as early as the excessive rigor of the weather admitted.

I saw Mr. Adams immediately and again to-day.

He informs me, that the Minister of Portugal was taken ill five or six days ago, has been very much so, but is now somewhat better.

It would be very mortifying, indeed, should this accident, with the shortness of the term to which I limit my stay here, defeat what was the principal object of my journey, and that without which I should hardly have undertaken it. With respect to this country, I had no doubt but that every consideration had been urged by Mr. Adams, which was proper to be urged.

Nothing remains undone in this way. But we shall avail ourselves of my journey here, as if made on purpose, just before the expiration of our commission; to form our report to Congress on the execution of that commission, which report they may be given to know cannot be formed, without decisive information of the ultimate determination of their Court.

There is no doubt what that determination will be; but it will be useful to have it, as it may put an end to all further expectations on our side the water, and shew that the time is come for doing whatever is to be done by us, for counteracting the unjust and greedy designs of this country.

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We shall have the honor, before I leave this place, to inform you of the result of the several matters which have brought me to it.

A day or two before my departure from Paris, I received your letter of January ——; the question therein proposed: "How far France considers herself as bound to insist on the delivery of the posts?" would, infallibly, produce another: How far we consider ourselves as guarantees of their American possessions, and bound to enter into any future war, in which these may be attacked?

The words of the treaty of alliance seem to be without ambiguity on either head. Yet I should be afraid to commit Congress, by answering without authority.

I will endeavor, on my return, to sound the opinion of the Minister, if possible, without exposing myself to the other question. Should any thing forcible be meditated on those posts, it would possibly be thought prudent, previously to ask the good offices of France, to obtain their delivery.

In this case, they would probably say we must first execute the treaty on our part, by repealing all acts which have contravened it.

Now, this measure, if there be any candor in the Court of London, would suffice to obtain a delivery of the posts from them, without the mediation of any third power.

However, if this mediation should be finally needed, I see no reason to doubt our obtaining it, and still less to question its omnipotent influence on the British Court.

I have the honor to be, &c.

TH: JEFFERSON.

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FROM JOHN JAY TO THOMAS JEFFERSON.

New York, June 16, 1786.

Dear Sir,

Since my last to you, of the 14th ult. I have been honored with yours of the 2nd January and 5th and 12th of March last. I have also, received a joint letter from you and Mr. Adams, of 28th March. All of them have been laid before Congress, who, as yet, have not given me any orders respecting the contents of either.

The first of these letters, viz: that of 2nd January, strikes me as very interesting. I always wished, and that very sincerely, that on the return of peace, France might derive essential advantages from our commerce. I regret that this has not been the case, and that the causes which occasioned the disappointment, have not sooner been investigated and removed. In my opinion, you have done it candidly and ably; and it would give me great pleasure to hear that France has so regulated her commerce, as that the people of this country may indulge their desire, of giving the productions of this country, in exchange for those of that. There is certainly much wisdom and knowledge in France, but the interests of commerce do not appear to be as well understood in that country as in England. However the system of farming and monopoly may comport with the views of Government in some points, the experience of ages bears testimony to the injuries they have done to commerce. Governments, however, like individuals, sometimes become too strongly attached, by long continued habit, even to what daily does them harm. So that we may apply to errors in politics, what was wisely remarked of errors in morals: it is hard for those who are *accustomed*

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to do evil to learn to do well. When I was in France, I heard that system censured by almost every gentleman whom I heard speak of it, and yet it seems so firmly fixed, perhaps by golden rivets, even on sovereignty itself, as that the speedy destruction of it, seems rather to be wished for than expected.

I herewith send copies of several letters respecting Mr. Gallatin, which will enable you to assure his friends of his being alive, and probably doing well.

I am impatient to receive the orders of Congress, on the subject of your negotiations with the Barbary powers. As yet that business remains under consideration. As to further loans, I have long thought that they should be preceded by proper arrangements for the payment of interest and principal, so that the public faith may be punctually kept. National character depends upon it, and I, for my part, think national character is of more importance, than even peace with those pirates.

Your reasons for going to England appear to me as they did to you, cogent and conclusive, and I make no doubt but that good will result from it, although, perhaps, not all that might have been expected. The affair of our posts is a serious business, and the more so, as in my opinion Britain has too much reason on her side. They who ask equity, should do it.

You will also receive with this letter, some of our late papers, and I shall take the first good opportunity that may offer, to write to you more particularly and explicitly on several subjects.

With great and sincere esteem and respect, I have the honor to be, &c.

JOHN JAY.

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FROM THOMAS JEFFERSON TO JOHN JAY.

London, April 23, 1786.

Sir,

In another letter of this day, I stated to you what had passed with public characters, since my arrival here. Conversations with private individuals, I thought it best not to mingle with the contents of that letter.

Yet, as some have taken place, which relate to matters within our instructions, and with persons, whose opinions deserve to have some weight, I will take the liberty of stating them. In a conversation with an ancient and respectable merchant of this place, such a view of the true state of the commercial connexion of America and Great Britain, was presented to him, as induced him to acknowledge they had been mistaken in their opinions, and to ask that Mr. Adams and myself would permit the chairman of the committee of American merchants to call on us.

He observed, that the same person happened to be, also, chairman of the committee of the whole body of British merchants, and that such was the respect paid to his person and office, that we might consider what came from him, as coming from the committees themselves. He called on us, at an appointed hour. It was a Mr. Duncan Campbell, formerly, much concerned in the American trade. We entered on the subject of the non-execution of the late treaty of peace, alleged on both sides. We observed, that the refusal to deliver the western posts, and the withdrawing American property, contrary to express stipulation, having preceded what we considered as breaches on our part, were to be consider-

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ed as the causes of our proceedings. The obstructions thrown by our legislatures in the way of the recovery of their debts, was insisted on by him. We observed to him, that the great amount of the debt from America to Great Britain, and the little circulating coin in the former country, rendered an immediate payment impossible. That time was necessary. That we had been authorized to enter into explanatory arrangements on this subject, that we had made overtures for the purpose, which had not been attended to, and that the States had therefore been obliged to modify the article for themselves. He acknowledged the impossibility of immediate payment, the propriety of an explanatory convention, and that they were disposed to allow a reasonable time. We mentioned the term of five years, including the present, but that judgments might be allowed immediately, only dividing the execution into equal and annual parts, so that the last should be levied by the close of the year 1790. This seemed to be quite agreeable to him, and to be as short a term as would be insisted on by them. Proceeding to the sum to be demanded, we agreed that the principal, with the interest incurring before and after the war should be paid, but as to that incurring during the war, we differed from him. He urged its justice with respect to themselves, who had laid out of the use of their money during that period. This was his only topic. We opposed to it all those, which circumstances, both public and private, gave rise to. He appeared to feel their weight, but said the renunciation of this interest was a bitter pill, and such a one as the merchants here could not swallow. He wished that no declaration should be made as to this article, but we observed, that

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if we entered into explanatory declarations of the points unfavorable to us, we should expect, as a consideration for this, corresponding declarations on the parts in our favor. In fact, we supposed his view to be, to leave this part of the interest to stand on the general expressions of the treaty, that they might avail themselves in individual cases, of the favorable dispositions of debtors or of juries.

We proceeded to the necessity of arrangements of our future commerce, were it only as a means of enabling our country to pay its debts. That they had been contracted while certain modes of remittance had existed here, and had been an inducement to us to contract these debts. He said he was not authorized to speak on the subject of the future commerce.

He appeared really and feelingly anxious that arrangements should be stipulated as to the payment of the old debts, said he would proceed at that moment to Lord Carmarthen's and discuss the subject with him, and that we might expect to hear from him. He took leave and we never since have heard from him, or any other person on the subject.

Congress will judge how far these conversations should influence their future proceedings, or those of the States.

I have the honor to be, &c.

TH: JEFFERSON.

FROM THOMAS JEFFERSON TO JOHN JAY.

London, April 23, 1786.

Sir,

In my letter of March 12th, I had the honor of explaining to you the motives, which had brought me to

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this place. A joint letter from Mr. Adams and myself sent by the last packet, informed you of the result of our conferences with the Tripoline Minister.

The conferences with the Minister of Portugal have been drawn to a greater length than I expected, however every thing is now agreed, and the treaty will be ready for signature the day after to-morrow. I shall set out for Paris the same day. With this country nothing is done, and that nothing is intended to be done on their part, admits not the smallest doubt. The nation is against any change of measures. The Ministers are against it, some from principle, others from subserviency, and the King more than all men is against it. If we take a retrospect to the beginning of the present reign, we observe that amidst all the changes of Ministry, no change of measures with respect to America ever took place; excepting only at the moment of the peace, and the Minister of that moment was immediately removed.

Judging of the future by the past, I do not expect a change of disposition, during the present reign, which bids fair to be a long one, as the King is healthy and temperate, that he is persevering we know. If he ever changes his plan, it will be in consequence of events, which neither himself nor his Ministers at present place among those which are probable. Even the opposition dare not open their lips in favor of a connexion with us, so unpopular would be the topic.

It is not that they think our commerce unimportant to them. I find that the merchants have set sufficient value on it; but that they are sure of keeping it on their own terms. No better proof can be shewn of the security in which the Ministers think themselves on this head, than

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that they have not thought it worth while to give us a conference on the subject, though on my arrival, we exhibited to them our commission, observed to them that it would expire on the 12th of the next month, and that I had come over on purpose to see if any arrangements could be made before that time. Of two months which then remained, six weeks have elapsed without one scrap of a pen or one word from a Minister, except a vague proposition at an accidental meeting. We availed ourselves even of that, to make another essay to extort some sort of declaration from the Court, but their silence is invincible. But of all this as well as of the proceedings in the negotiation with Portugal, information will be given you by a joint lettter from Mr. Adams and myself.

The moment is certainly arrived, when the plan of this Court being out of all doubt, Congress and the States may decide what their own measures should be.

The Marquis of Lansdowne spoke of you in very friendly terms, and desired me to present his respects to you, in the first letter I should write.

He is thoroughly sensible of the folly of the present measures of this country, as are a few other characters about him. Dr. Price is among these, and is particularly disturbed at the present prospects. He acknowledges however that all change is desperate; which weighs the more as he is intimate with Mr. Pitt.

This small band of friends, favorable as it is, does not pretend to say one word in public on our subject.

I have the honor to be, &c.

TH: JEFFERSON.

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FROM JOHN JAY TO THOMAS JEFFERSON.

New York, July 14, 1786.

Dear Sir,

Since my last to you, of the 16th ult. I have been honored with your letter of 23rd, and a joint one from you and Mr. Adams, of 25th April.

Considering the importance of our commerce with Portugal, it gives me pleasure to learn, that a treaty with that kingdom was nearly concluded. Until our affairs shall be more perfectly arranged, we shall treat under disadvantages, and, therefore, I am not surprised that our negotiations with Britain and Barbary are unpromising. To be respectable abroad, it is necessary to be so at home, and that will not be the case, until our public faith acquires more confidence, and our Government more strength.

When, or how, these great objects will be attained, can scarcely be conjectured. An uneasiness prevails through the country, and may produce, eventually the desired reformation, and it may also produce untoward events. Time, alone, can decide this and many other doubts. For nations, like individuals, are more frequently guided by circumstances, than circumstances by them.

I am not charged to communicate to you any instructions, though I have reason to think that some will be ready, by the time the next packet will sail. Nor have I any very interesting intelligence to transmit. The British Government at New Brunswick, have lately given uneasiness to Massachusetts, by extending their jurisdiction farther than the treaty will warrant. And from the present state of our Indian affairs, there is reason to ap-

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prehend trouble with them. They appear dissatisfied with their late cessions to us, and it is not improbable that they will give interruption to our surveyors. How far these people may be instigated by our neighbors is not decided; but the asperity observable in the British nation towards us, creates suspicions that they wish to see our difficulties, of every kind, increase and accumulate. Indeed, I fear that other European nations do not regard us entirely without jealousy. There are some little circumstances, which look as if the Dutch regret our having found the way to China; and that will, doubtless, be more or less the case with every nation, with whose commercial views we may interfere. I am happy in reflecting that there can be but little clashing of interests, between us and France, and, therefore, that she will probably continue disposed to wish us well and do us good, especially if we honestly fulfil our pecuniary engagements with her. These engagements, however, give me much concern. Every principle and consideration of honor, justice and interest, call upon us for good faith and punctuality, and yet we are, unhappily, so circumstanced that the moneys necessary for the purpose are not provided, nor in such a way of being provided as they ought to be. This is owing, not to any thing wrong in Congress, but to their not possessing that power of coercion, without which, no Government can possibly attain the most salutary and constitutional objects. Excuses and palliations, and applications for more time, make bad remittances, and will afford no inducements to our allies or others, to afford us similar aids on future occasions.

I send herewith a packet for you from Mr. Hopkinson, and the public papers. The letter will inform you of the

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death of General Greene; this is a serious loss to this country, as well as his family, and is universally and justly lamented.

With great esteem and regard, I have the honor to be, &c.

JOHN JAY.

FROM THOMAS JEFFERSON TO WILLIAM CARMICHAEL.

Paris, May 5, 1786.

Sir,

A visit of two months to England, has been the cause of your not hearing from me during that period. Your letters of February the 3rd, to Mr. Adams and myself, and of February the 4th, to me, had come to hand before my departure. While I was in London, Mr. Adams received the letters, giving information of Mr. Lamb's arrival at Algiers. In London we had conferences with a Tripoline Ambassador, now at that Court, named Abdrahaman. He asked us thirty thousand guineas for a peace with his Court, and as much for Tunis, for which he said he could answer. What we were authorized to offer, being to this, but as a drop to a bucket, our conferences were repeated, only for the purpose of obtaining information. If the demands of Algiers and Morocco should be proportioned to this, according to their superior power, it is easy to foresee that the United States will not buy a peace with money. What principally led me to England, was, the information that the Chevalier del Pinto, Portuguese Minister at that Court, had received full powers to treat with us. I accordingly went there,

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and, in the course of six weeks, we arranged a commercial treaty between our two countries. His powers were only to negotiate, not to sign. And, as I could not wait, Mr. Adams and myself signed, and the Chevalier del Pinto expected daily, the arrival of powers to do the same. The footing on which each has placed the other, is that of the most favored nation. We wished much to have had some privileges in their American possessions; but this was not to be effected. The right to import flour into Portugal, though not conceded by the treaty, we are not without hopes of obtaining.

My journey furnished us with occasion, to renew our overtures to the Court of London; which it was the more important to do, as our powers to that Court were to expire on the 12th of this month. These overtures were not attended to, and our commission expiring, we made our final report to Congress; and I suppose this the last offer of friendship, which will ever be made on our part. The treaty of peace being unexecuted on either part, in important points, each will now take their own measures for obtaining execution. I think the King, Ministers, and nation, are more bitterly hostile to us at present, than at any period of the late war. A like disposition on our part, has been rising for some time. In what events these things will end, we cannot foresee. Our countrymen are eager in their passions and enterprises, and not disposed to calculate their interests against these. Our enemies, (for such they are, in fact) have, for twelve years past, followed but one uniform rule, that of doing exactly the contrary of what reason points out. Having early, during our contest, observed this in the British conduct, I governed myself by it, in all prognos-

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tications of their measures; and I can say, with truth, it never failed me, but in the circumstance of their making peace with us. I have no letters from America of later date than the new year. Mr. Adams had, to the beginning of February. I am in hopes our letters will give a new spur to the proposition, for investing Congress with the regulation of our commerce.

This will be handed you by a Baron Walterstorff, a Danish gentleman, whom, if you did not already know, I should take the liberty of recommending to you. You were so kind as to write me, that you would forward me a particular map, which has not come to hand. I beg you to be assured of the respect and esteem, with which

I have the honor to be, &c.

TH: JEFFERSON.

FROM THOMAS JEFFERSON TO M. DUMAS.

Paris, May 6, 1786.

Sir,

Having been absent, in England, for some time past, your favors of February the 27th, March the 28th, and April the 11th, have not been acknowledged so soon as they should have been. I am obliged to you for assisting to make me known to the Rhingrave de Salm, and the Marquis de la Coste, whose reputations render an acquaintance with them desirable. I have not yet seen either, but expect that honor from the Rhingrave very soon. Your letters to Mr. Jay and Mr. Van Berckel, received in my absence, will be forwarded by a gentleman who leaves this place for New York, within a few days. I sent the treaty with Prussia, by a gentleman who sailed

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from Havre the 11th of November. The arrival of that vessel in America, is not yet known here. Though the time is not long enough to produce despair, it is sufficiently so to give inquietude,lest it should be lost. This would be a cause of much concern to me. I beg the favor of you to mention this circumstance to the Baron de Thulemeier, as an apology for his not hearing from us. The last advices from America bring us nothing interesting. A principle object of my journey to London, was to enter into commercial arrangements with Portugal. This has been done almost in the precise terms of those of Prussia. The English are still our enemies. The spirit existing there, and rising in America, has a very lowering apect. To what events it may give birth, I cannot foresee. We are young, and can survive them; but their rotten machine must crush under the trial. The animosities of Sovereigns are temporary, and may be allayed; but those which seize the whole body of a people—and of a people too, who dictate their own measures—produce calamities of long duration. I shall not wonder to see the scenes of ancient Rome and Carthage, renewed in our day; and if not pursued to the same issue, it may be because the republic of modern powers will not permit the extinction of any one of its members. Peace and friendship with all mankind is our wisest policy; and I wish we may be permitted to pursue it. But the temper and folly of our enemies, may not leave this in our choice. I am happy in our prospect of friendship with the most estimable powers of Europe, and particularly with those of the confederacy, of which yours is. That your present crisis may have a happy issue, is the prayer and wish of him, who has the honor to be, &c.

TH: JEFFERSON.

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FROM THOMAS JEFFERSON TO JOHN ADAMS.

Paris, May 11, 1786.

Dear Sir,

I do myself the honor of enclosing to you, letters which came to hand last night, from Mr. Lamb, Mr. Carmichael and Mr. Barclay. By these, you will perceive that our peace is not to be purchased at Algiers, but at a price far beyond our powers. What that would be, indeed, Mr. Lamb does not say, nor probably does he know. But as he knew our ultimatum, we are to suppose, from his letter, that it would be a price infinitely beyond that. A reference to Congress hereon, seems to be necessary. Till that can be obtained, Mr. Lamb must be idle at Algiers, Carthagena, or elsewhere. Would he not be better employed in going to Congress? They would be able to draw from him and Mr. Randall, the information necessary to determine what they will do. And if they determine to negotiate, they can re-appoint the same, or appoint a new negotiator, according to the opinion they form on their examination. I suggest this to you as my first thoughts; an ultimate opinion should not be formed till we see Mr. Randall, who may be shortly expected. In the meantime, should an opportunity occur, favor me with your ideas hereon, that we may be maturing our opinions. I shall send copies of these three letters to Mr. Jay, by the packet which sails from L'Orient, the first of next month.

I have the honor to be, &c.

TH: JEFFERSON.

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FROM THOMAS JEFFERSON TO JOHN JAY.

Paris, May 12, 1786.

Sir,

The last letters I had the honor of addressing you from this place, were of the 2nd and 27th of January, those from London were of the 12th of March, and 23rd of April.

In the month of February the Baron de Blome, Minister Plenipotentiary at this Court from Denmark, informed me that he was instructed by his Court to give notice to the Ministers from the United States, appointed to negotiate a treaty of commerce with them, that the Baron de Walterstorff, formerly commissioned by them for the same purpose, had received another destination, which called him to the West Indies, that they were sensible of the advantages, which would arise to the two countries from a commercial intercourse, that their ports were accordingly placed on a very firm footing, as they supposed ours to be also, that they supposed the commerce on each part might be well conducted under the actual arrangements, but that whenever any circumstances should arise, which would render particular stipulations more eligible, they would be ready to concur with the United States in establishing them, being desirous of continuing on the terms of the strictest harmony and friendship with them.

In my letter of January 27, I informed you of what had passed between the Imperial Ambassador and Secretary of Embassy, and myself, on the subject of the treaty with their sovereign.

The Ambassador was in hourly expectations of re-

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ceiving his full powers, when I was called to London. Though I had received Mr. Adams' opinion in favor of our proceeding in the treaty, yet it was neither his nor my opinion, that this object should overweigh those which called me to London.

A treaty with Portugal was more important, exclusive of what was to be done with England and the States of Barbary.

On my return to Paris the Secretary of Embassy called on me to inform me, the Ambassador had received his full powers very soon after my departure, and was now ready to begin on our arrangements: that he was sensible however that these could not be settled before our commission would expire, but as he supposed Congress would be willing to renew it, we might proceed to confer together, leaving the effect of our conferences to rest on the event of a renewal of the commission. He asked also a draught of our propositions as a ground work to proceed on. I met with the Ambassador a few days after, he said the same things in substance and concluded by asking our propositions.

I gave him a draught, which was a copy of what we had originally proposed to Denmark, with such alterations as had occurred and been approved in our negotiations with Prussia, Tuscany and Portugal.

The enclosed letters of December 9, and January 18, from O'Bryen; of February 24, March 13, 20, 23, 27, 31, April 5, and 10, from Mr. Barclay; of March 29, from Mr. Lamb; and February 3, and April 13, from Mr. Carmichael, will put you in possession of my latest intelligence on the affairs of Morocco and Algiers. You will perceive by them that Mr. Randall may be daily expected

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here. If the propositions to Algiers appear from his account to be as unhopeful, as Mr. Lamb seems to consider them, it is not improbable that Mr. Adams and myself may think that instead of remaining at Carthagena, as Mr. Lamb proposes, it will be better for him to proceed to Congress, without occasioning any loss of time, this will offer the two advantages, of giving them all the information he may be possessed of, and of putting it in their power to appoint any negotiator they may think proper, should they find negotiation still eligible. However, Mr. Adams and myself shall have better grounds to decide on, when we shall receive the information of Mr. Randall.

Col. Humphreys carried you the Leyden Gazette to the beginning of April, I now enclose it from that to the present date, together with the Gazette of France from February 3 to May 12.

I have the honor to be, &c.

TH: JEFFERSON.

FROM THOMAS BARCLAY TO THOMAS JEFFERSON.

Bayonne, February 24, 1786.

Dear Sir,

I had the pleasure of receiving your note addressed to me at Bordeaux, and delivered your enclosure agreeable to your directions. To-morrow we shall set forward, and I expect in about twelve days to get to Madrid, from whence I shall write to you, as at present there is nothing better to offer than a detail of bad roads and interruptions.

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I received a letter yesterday from Mr. Carmichael who wishes to see us, a pleasure I have by this day's post given him reason to expect as soon as possible. Mr. Bondfield bought two hogsheads of Haut Brienne wine for you, and fined it before I reached Bordeaux, so he has robbed me of any share in the merit of that purchase.

I hope there is not any occasion for me to assure you of the respect and esteem, wherewith

I am, dear sir, &c.

THOS. BARCLAY.

FROM THOMAS BARCLAY TO THOMAS JEFFERSON.

Madrid, March 13, 1786.

Sir,

I have little of consequence to communicate in this letter, but I shall give you the trouble of a more particular one, before I leave this place, and then make my apology for the shortness of this. At present, I shall only say, that, by appointment, I am to see the Count de Florida Blanca this day week, and that I have every reason to expect all the protection and influence from hence, that can be wished. I do not incline to let this post depart, without the assurance of my being

With great respect and esteem, &c.

THOS: BARCLAY.

Please forward the enclosures to Mrs. Barclay.

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FROM THOMAS BARCLAY TO THOMAS JEFFERSON.

Madrid, March 20, 1786.

Sir,

I wrote you a few lines, informing you of my arrival, and expectation of seeing the Count of Florida Blanca, this day, agreeably to his appointment, in consequence of which, Mr. Carmichael accompanied me to the Pardo, where the Count resides at present, and where, we were informed, that the Minister could not receive us before Wednesday next, as he has had, within a few days, the account of the death of his father. There is nothing important in this, except the delay; however, I have thought proper to mention it to you, and as soon as I can be more particular, I will write to you and Mr. Adams. In the meantime,

I remain, &c.

THOS: BARCLAY.

FROM THOMAS BARCLAY TO THOMAS JEFFERSON.

Madrid, March 23, 1786.

Sir,

I had the pleasure of addressing you twice, since my arrival here, and though I had nothing worth the attention of you or Mr. Adams to communicate, I thought you would wish to know how I am employed, and to be able to say to him, that I have made some progress in my journey.

Yesterday I was introduced to the Count of Florida Blanca, at the Pardo, he received, and treated me like a

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man of business, extremely well disposed to serve our country; his manner was frank and easy. He said, the Emperor of Morocco proposed making the King negotiator of the peace; but that he would inform the Emperor, it would be better the business should be done in Morocco; and he called in his Secretary, and gave him directions to prepare the letters for me, against Saturday next.

He added, that he would propose to the King, to write to the Emperor himself; and I have no doubt, but I shall have the honor of carrying this powerful recommendation.

We are again to wait on the Count de Florida Blanca, on Sunday, and probably I may have it in my power, to write you more particularly by Monday's post.

I am, &c.

THOS: BARCLAY.

Mr. Lamb sailed on the 11th for Barcelona.

FROM THOMAS BARCLAY TO JOHN ADAMS.

Madrid, March 27, 1786.

Dear Sir,

I arrived here the 10th, and expect to be able to proceed to Cadiz in a few days. The copies of three short letters which I wrote to Mr. Jefferson, will place before you our progress until this day, when I had the pleasure of receiving, through the hands of Mr. Carmichael, the King's letter to the Emperor, informing him that it would be better, the peace should be made in Morocco than in Spain, and recommending the object of the mission to his

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Majesty's attention. The Count de Florida Blanca, has also sent me letters to General O'Reiley at Cadiz, to the Consul General of Spain at Morocco, and to one of the Spanish Fathers, placed at Mequinez for the redemption of captives. In short, I have the greatest reason to be pleased, with the part this Court has taken in the affair, which I think reflects much honor, on Mr. Carmichael's influence and attention.

To show you at once the state in which I find the business with Morocco situated on my arrival here, I send you a copy of a letter written by the Count de F. Blanca to Mr. Carmichael, offering the intervention of his Catholic Majesty, on the idea of the business being done here, with Mr. Carmichael's reply; and I have now to add, that I shall set forward with the most flattering prospect of success, hoping soon to be able to give you a satisfactory account of the business being finished. It will not, perhaps, be in my power to write you very often. There are at this place and at Victoria, persons appointed to translate or decypher every suspicious paper, and from them little can escape. Nothing new of consequence, will probably arise until I reach Morocco. If I am able to close the treaty to my satisfaction, I shall send it to you by land, and remain in Africa or Spain, until you return it with the ratification. And I embrace this opportunity of offering my services, if you want them, at Tunis and Tripoli, where I am certain this Court will, on application, give its weight to the person employed at those places. If you should think my going further than Morocco necessary, let me know, as soon as possible your intentions, that I may arrange matters accordingly, and avail myself of the disposition which this Court shews to

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serve us. Please to put your letters under cover to Mr. Carmichael, unsealed, that he may be at once master of the subject. Situated as we are, we cannot leave this without being presented, which will be done, I expect, in a few days, by the French Ambassador, after which we will continue our journey. But the roads to Cadiz are in such shocking order, that the gentleman by whom I now write, has been twenty-four days coming from thence. Mr. Lamb purchased a vessel of about fifty tons, at Barcelona, and sailed for Algiers the 11th, with a wind capable of placing him in port the next day. He went under Spanish colors, which I hope may protect him, though there is no peace hitherto signed, between the two countries. A person is expected every hour from Algiers, who will be able to give a particular account of Mr. Lamb. If I am so lucky as to see him, I will transmit you what I can learn, and Mr. Carmichael will give you all the information he can collect.

I am, dear sir, &c.

THOS. BARCLAY.

FROM THOMAS BARCLAY TO THOMAS JEFFERSON.

Madrid, March 31, 1786.

Dear Sir,

I have not any thing of consequence to trouble you with, that is not contained in the enclosed copy of what I wrote Mr. Adams the 27th, to which I beg leave to refer you. We have not yet heard from Lamb since he sailed, but I think a few days will bring Mr. Carmichael some letters from him. His business here was very pub-

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lic, and ours is no secret; Don Gabriel spoke of it yesterday before several persons. He remarked that there was not a great deal to be learned, by making such a voyage, and hoped we should succeed in our expectations.

The only political subjects which engage the attention of the people here, are the coolness that subsists between this Court and that of Naples, and the accession of Spain to the treaty with France and Holland. It seems more than probable that this accession will take place, notwithstanding the vigorous efforts to prevent it, and the proble consequences will be a treaty between Russia, Denmark and England, at least there are some appearances, that such events are not impossible. You will excuse me for saying any thing on matters concerning which, you have probably much better information than I can give you, and believe me sincerely

Dear Sir, your most obedient humble servant,

THOS. BARCLAY.

FROM THOMAS BARCLAY TO THOMAS JEFFERSON.

Madrid, April 5, 1786.

Sir,

I had the pleasure of writing to you the 31st of last month, by a gentleman going to Paris, and of sending you a copy of what I wrote Mr. Adams, the 27th. I now, by the Spanish courier, send you copies of both those letters. This day, the Spanish despatches arrived from Algiers, by which Mr. Carmichael, who writes you by this opportunity, received a letter from Mr. Lamb, with another from Mr. Randall, the latter dated the 26th

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of March. Mr. Randall writes, that they did not arrive at Algiers until the 25th, when the Dey refused them permission to land, but, on the representation of the Count d'Espilly, the Minister employed by this Court to negotiate with Algiers, (who is an intimate acquaintance of Mr. Carmichael, and to whom Mr. Lamb and Mr. Randall had letters of introduction) they were permitted to land, and were received by the French Consul with great attention. The Count d'Espilly has mentioned his fears of Mr. Lamb's success; "as the United States have no treaty with the Porte, and that the most that can be expected will be a truce, until Congress can send a Minister to Constantinople."

The Dey's fleet is not ready for sea, nor has any steps been taken towards fitting it out. Our people, who were carried into Algiers, have behaved with the utmost decorum, and were made extremely happy by the arrival of Mr. Lamb. To the above I have but little to add, but that the truce between Spain and Algiers expired with the last month, and that, as there are no preparations making by the Dey, to send out the cruisers, though the season is advancing fast, the probable consequence is, that the peace will be made with Spain. In the meantime, the Count d'Espilly has demanded a truce of another month. The Ministers from Portugal and Naples to Algiers, are waiting at Carthagena, to see the event of the Spanish negotiations, if they are terminated to the wishes of this Court, they will proceed to Algiers, under the sanction of Spain, and in that case, I am certain Mr. Lamb, may be provided with the same recommendations to the Dey, that were so kindly given me to the Emperor.

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I shall set out for Cadiz in a few days, the roads are very near being impassable.

I am, with great respect, &c.

THOS. BARCLAY.

FROM THOMAS BARCLAY TO THOMAS JEFFERSON AND JOHN ADAMS.

Madrid, April 10, 1786.

Gentlemen,

The day before yesterday Mr. Carmichael received letters from Algiers from Mr. Lamb dated the 29th of last month, and from Mr. Randall the 26th, which I think a very wrong date, with a postcript, from on board a vessel in the bay of Alicant of the 1st instant, after a passage of 26 hours.

He cannot come on shore without a permission from Court to shorten his quarantine, which Mr. Carmichael has applied for, and probably Mr. Randall will soon be at Paris. Though Mr. Carmichael will write to you on this subject, and though I have no information from Africa, but what I derive from him, I think it a part of my duty to give you the outlines of what intelligence I can collect, though it should prove a work of supererogation.

Mr. Lambs' letter is short and obscure, nor do I understand the whole of it. However he says "no peace can be made until Congress grant a larger sum to pay for it, and he will return to Spain to wait for orders." Mr. Randall says the Dey of Algiers has refused to treat with Mr. Lamb without assigning any reason for it. It does not appear by either letter, that Mr. Lamb has had

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any audience of the Dey of Algiers; but I shall think it very strange, if he returns to Europe without knowing on what terms a treaty may be made. And if I find that to be the case, unless I have your directions to the contrary, I shall hold myself justifiable at the expense of some time and money to attain that knowledge.

The removal of the Court, the compliance with necessary forms and the intervention of the holy week, (during some days of which, I need not pretend to set forward,) has detained me some time longer than I expected; but the delay can be of no consequence, as the Count de Florida Blanca was so condescending, as to apprize the Spanish Consul at Morocco, of my being thus far on my way. Indeed the attention shewn here to the business in which I am engaged, far surpassed my warmest expectations. It will give me great pleasure to receive a letter from you. If an opportunity to Cadiz should offer, please to put it under cover to Messieurs Linon & Bellew of that place, who will take care of it.

I am, with great respect, &c.

THOS. BARCLAY.

I wish what I have put in cypher may be tolerably correct not having time to examine it.

FROM JOHN LAMB TO THOMAS JEFFERSON.

Algiers, March 29, 1786.

Sir,

This is by Mr. Randall, who will tell your Excellency my situation at present. I am sure, by the best informa-

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tion, the sum will by no means answer our object, if the amount is not greatly augmented. It is my duty to advise to abandon the undertaking, as it will be entirely in vain to persevere. It is lost money, the expenses that arise on the attempt. The last amount that I can give, please to let me know. I shall wait at Carthagena for an answer. The people will cost, for their deliverance, at least twelve hundred hard dollars per head. The number is twenty-one. Your Excellency sees how feeble we are. I have good reason to think that peace may be made with these people, but it will cost a tour to Constantinople. Much may be done in France, if they please to forward our peace here. If we fight those people, five thirty-six gun frigates will be the least force, and two large tenders.

Your Excellency has some account of the place by Mr. Randall, and I shall endeavor to procure as much as I can. I shall leave a safety here for a future coming to this place. Have desired Mr. Randall to make all possible despatch.

With due respect, &c.

JOHN LAMB.

FROM WILLIAM CARMICHAEL TO MESSRS. JOHN ADAMS AND THOMAS JEFFERSON.

Madrid, February 3, 1786.

Gentlemen,

On the 4th December last, Mr. Lamb delivered me the letter which your Excellency did me the honor to address me, dated from London the 1st, and from Paris

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the 11th, of October. At the same time, that gentleman communicated to me his instructions, and I all the intelligence I had been able to procure relative to the negotiation, between this country and the Regency of Algiers. The Count d'Espilly, whose friendship I cultivated, had returned to Algiers long before Mr. Lamb's arrival, and a Secretary, whom he had despatched from that place after his return, with letters for the Minister, had also set off for Alicant. From these gentlemen I had obtained an account of the state of the negotiation. The principal articles proposed by Spain had been agreed to by the Dey and his Ministers; but as the former wished to include the Courts of Naples and Portugal in the ratification, the Count de Florida Blanca had instructed the Count d'Espilly to prevail on the latter to admit and receive Ministers from these Courts, and was actually waiting the answer from Algiers, at the period when Mr. Lamb came hither. It was evident to me, that should this proposition be accepted, of which I had no doubt with respect to the first mentioned Court, the nomination and voyage of these Ministers, would occasion delay, and until the treaty between Spain and the Regency should be concluded, I had reason to think, that this Court would not interfere directly in our favor.

The manner in which his Excellency the Count de Florida Blanca, had explained his sentiments to me on this subject, induced me to form this opinion. For as soon as I knew the probable success of d'Espilly's negotiation, I insinuated to the Minister, how acceptable the good offices of his Majesty, to accommodate the States to the Barbary powers, would be to the people at large in America; and his Excellency then assured me, that as

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soon as their own affairs were arranged with Algiers, his Catholic Majesty would employ all his influence, to accelerate a peace for the United States with that and the other Barbary States, and authorized me to inform Congress of the King's intentions.

Having received these assurances, I engaged the Count d'Espilly to prepare, by every favorable insinuation, the Dey's Ministers and favorites to support any overture which might be made by the States, which he promised me to do; and the proofs of confidence he gave me, induce me to rely on his promises.

He also engaged to give me the earliest information, with respect to the intentions of those people; and since his return, has proved, by his behavior to our captives, and his correspondence with me, that he will avail himself of all the means which he can employ with propriety, to fulfil his promises.

When Mr. Lamb arrived, the Royal family had just come to this capital, from the Escurial, and during their residence here, it is extremely difficult to have access to the Minister.

The King in a few days after went to Aranjuez on a hunting party, and the Count de Florida Blanca accompanied him, and none but the family ambassadors follow the Court on this occasion.

However, as I was desirous to have a conference with the Minister as soon as possible on the subject of your Excellency's letter, I wrote to the under Secretary in the Department of Foreign Affairs, charged with the correspondence to the United States, to know whether if I came to Aranjuez, I should have an opportunity of speaking with his Excellency, to whom I wished to make

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a communication in person, of some advice I had received lately. No. 1 is a copy of the answer I received from that gentleman. On the return of his Majesty to this capital, I procured an audience from the Minister, to whom I communicated Mr. Lamb's arrival and the object of his mission, making use of such arguments and insinuations as I thought most likely to induce his Excellency to contribute to its success.

I received from him the strongest assurances to the same purport as those beforementioned, at the same time however he added, that until he should receive further advice from Algiers, it was impossible for him to take an open part in the negotiation, and advised me to detain my countryman until the Count went to the Pardo, when he hoped to have it in his power to give me a more explicit answer. During this audience, I took an occasion of mentioning without affectation, your Excellency's sentiments with respect to his generous interference in the affair of Morocco, with which he appeared much pleased, and told me it should not be his fault, nor did he think it would be mine, if Spain and the United States were not as good friends, as they were near neighbors in America.

In the same conversation he promised me ample satisfaction on a subject in which I had been obliged to have recourse to him and I have since received it, his Majesty having been pleased to fine and render incapable of serving in the revenue, the Governor of Laredo on a complaint made to me by an American captain, of the unjust and arbitrary proceeding of the latter. All the officers employed in this affair by the Governor have been punished.

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I communicated to Messrs. Lamb and Randall, what passed on this occasion, and these gentlemen consented to wait, without reluctance here, until the period mentioned by the Minister.

Four days after the Court had been fixed at the Pardo, I again waited on the Minister, who received me very well, but, on explaining the motive of my visit, his Excellency declared to me, that it was not in his power to be more explicit, as he had not yet received the letters he expected from Algiers, that, until he received the intelligence he expected, he could not order the Count d'Espilly to employ the King's interference in our affairs, repeating his former assurances, and hinting the obstacles we must expect to encounter in this negotiation; at the same time he observed to me, that we must not be discouraged. He told me, that the first objection made by the Algerines would arise from our not having a treaty with the Grand Seignior, as this circumstance occasioned great difficulties to Portugal in the actual negotiation. I entreated his Excellency to pardon my importunity and anxiety on this subject, as they proceeded as much from my wish to cement an amicable intercourse by reciprocal good offices, between the two countries of Spain and America, as from my apprehension, that unless Mr. Lamb should arrive at Algiers before their cruisers were sent to sea, further hostilities, on their part, might render an accommodation still more difficult. I also urged the nature of Mr. Lamb's instructions, and the necessity of Congress being early informed of the disposition of the Regency, expressing a hope, that by the time Mr. Lamb could arrive at a sea port, and prepare for his departure from thence, it might be in his Excellency's power to

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afford him all the assistance necessary to insure the success of his mission.

To these reflections I added the loss that would accrue to Spain, from the difficulties to which we should be exposed in our intercourse with a country, whose produce found a ready sale in America, and from which country, Spain could be supplied with so many articles, that it now takes from the northern nations of Europe, whose Consuls, his Excellency knew, did every thing in their power to obstruct the peace, which he was endeavoring to make for the commercial and political interests of a country, the councils of which he directed.

The Count de Florida Blanca replied, that he acquiesced in my reasons for the departure of Mr. Lamb, and repeated to me, and authorized me to write your Excellencies, that, "*the day after their own affairs should be arranged with Algiers, his Catholic Majesty would employ all his influence to facilitate our accommodations,*" to which he added many assurances of his desire to give a preference to the commerce of the United States, to that which Spain at present carried on with the northern part of Europe, particularly with Sweden and Denmark. The freedom with which this Minister has spoken to me on several occasions, his sentiments with respect to the northern powers, has not less surprised than convinced me of his wish to diminish their commerce and influence in the Mediterranean. In the course of this conversation, he appealed to my own experience on the reliance that might be placed on his word, to which I made the proper answer and acknowledgments, and concluded, by asking passports and letters for Messrs. Lamb and Randall, which his Excellency promised to send me.

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On my return to this city from the Pardo, I received letters from Algiers, of which Nos. 2 and 3 are copies. They were brought by a courier extraordinary, and the arrival of that courier induced me to hope that the Minister might have received such information as might enable him to act openly in our favor, although in fact this hope arose more from my wishes that such might be the case, than from the reasons which ought to induce a contrary sentiment, in consequence of the information I had received with respect to their negotiation previously.

Your Excellencies will easily conceive that the first efforts of this Court must be employed to procure a peace for those nations to which they are allied by the ties of family connexions, engagements to which these connexions have given rise, and the mutual aids which they have received from these nations, during their late operations against Algiers.

However, notwithstanding these considerations, I took the liberty, on reminding his Excellency the Count de Florida Blanca, of the passports and letters he had promised me, to insinuate my expectations of being able to obtain all that might be necessary for Mr. Lamb on his arrival at Algiers.

To this application, I received a reply of which No. 5 is a copy, as also a letter to the Count de Cessalto, Captain General of Catalonia, of which I also annex a copy No. 6, as I do of the several letters which I have received from Algiers since the arrival of Messrs. Lamb and Randall in Madrid.

The latter set off for Barcelona the 26th ult. in company with Mr. Harrison, a native of Virginia, who will have the honor to deliver your Excellencies' letters from

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me. Mr. Lamb did not leave this until the 1st instant, but as he travels post, he will arrive at Barcelona before the gentleman abovementioned. I refer your Excellencies to the account these gentlemen may render you of my conduct in this business.

I have procured bills for Mr. Lamb at Barcelona, for the amount of which he has drawn, agreeably to his instructions.

I have established a credit for whatever he may choose to draw.

I have given him letters to the Count D'Espilly, and have given him all the advice, that I thought might be useful to him.

On his arrival at Algiers he will find letters of introduction to most of the Consuls employed by foreign nations there, from their Ministers at this Court.

I did not to choose to expose his mission to those gentlemen, until his departure, from Barcelona renders it public.

Having rendered to your Excellencies an account of my proceedings in consequence of the letter, which you did me the honor to address me by Mr. Lamb, it may be necessary to add for your information and that of Congress, to which body I take the liberty of requesting you to forward a copy of this letter, that the peace negotiating at present between this country and the regency of Algiers, will cost this country near one million and a half of dollars, and I beg leave to add that my information is so circumstantial and derived from such a source, as leaves me not the smallest reason to doubt its authenticity.

The Dey of Algiers is now more than eighty years

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old, and his Ministers all press a conclusion of the treaty, in order that while they are in power, they may participate the presents made on this occasion.

The durability of this peace is uncertain, or of any other made in the present moment with these pirates. If I am rightly informed as soon as this treaty is concluded with Spain and Naples, they mean to declare war against Denmark, the Venetians and Dutch.

I shall not fail to inform you of all I can learn on these points, because there may be circumstances on which may depend your future instructions to Mr. Lamb, and the measures which Congress may think proper to adopt.

On the 30th ultimo the Convention was signed by the Ambassadors of France and Portugal, respecting their differences on the coast of Africa.

As I have not an accurate map of that coast before me, I refer to a future letter the limits accorded by the latter for a free trade to other nations. Mutual demands of indemnification have been waived on each part, a mutual expression of good will, and a desire to be on the best terms, will appear in the articles of this convention, in the expression of which France preserves her dignity.

With the highest sentiments of gratitude for the confidence your Excellencies have been pleased to accord me,

I have the honor to be, &c.

WM. CARMICHAEL.

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FROM WILLIAM CARMICHAEL TO MESSRS. ADAMS AND JEFFERSON.

Madrid, April 13, 1786.

Gentlemen,

I forward the enclosed letter from Mr. Lamb, for your Excellencies' information. That gentleman has also written to me, but as I suppose he has given Mr. Jefferson a more ample and satisfactory detail of the state of the negotiation than I can comprehend from his letter to me, I do not think it necessary to forward a copy of it. Mr. Barclay, to whom I have communicated all the intelligence I have received on this subject, will write your Excellencies more explicitly than my situation permits me to do. I cannot, however, refrain from remarking, that either Congress must adopt other methods than the present to make peace, or instantly determine to protect their trade with the southern parts of Europe, by a maratime force.

I have the honor to be, &c.

WM. CARMICHAEL.

FROM M. OTAMENDI TO W. CARMICHAEL.

Translation.

My Dear Sir,

I have informed the Count of your wish to speak to him when most suitable to him, although it should be necessary for you to come here. But his Excellency finds it impossible during your stay here.

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We are to make a small jaunt of twenty-eight leagues next Thursday, to see a new road. Friday is a desperate day. I think that you had best write to him a line requesting an interview at our return, it not being easy for him to appoint a day before hand.

In fear that you might want the papers annexed, I would not detain them. I am very sensible of your remembrance, having the honor to call myself, with the most perfect esteem and respect, sir, &c.

OTAMENDI.

13th December.

Enclosed in a letter from William Carmichael, without signature or address.

Algiers, December 15, 1785.

Sir,

Count d'Espilly is returned from the Court of Madrid, since the 7th of October last; he was expected here with so much impatience, that the Dey would absolutely see him, before he had even time to go to the French Consul's country house, where the Countess, his lady, had remained after his departure from hence, to convince the Dey of the sincerity of the promise he had made him, of returning.

It is said he had orders from his Court to signify to the Dey, that all the offers made by Don Joseph de Mazzardo, were absolutely without orders, and that his Catholic Majesty disapproved them in the fullest extent. The Count complained to the Dey in the strongest terms, his having permitted the cruisers to sail until his

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return, and it is doubtless this prince assured him it ought not to give the Count the least uneasiness, as he had threatened all the Rais in general, and each in particular, before their sailing, that he would cause the first of them that committed the least insult to the Spanish flag, or to any part of the Spanish coast, to be immediately strangled, and, in fact, the twelve cruisers that sailed on the 3rd of October last, are all returned, without giving Spain the least cause of complaint, notwithstanding a Catalan bark, richly laden, returning from the West Indies, abandoned by her crew, fearing the truce agreed upon was expired, as generally reported in Europe, was brought in here by one of the cruisers, but immediately returned, without difficulty, to the Count, on his first application. A like accident happened to a Venitian snow, of twelve guns, also abandoned by her crew, under the dread of the Tunisians, was picked up by one of the cruisers of this regency, but lost on the coast of Arzeo, and which, most probably, has saved the Venitian Consul a very disagreeable refusal, as they had already reported here that this snow was a Russian.

The Dey promised the Count d'Espilly, that he will not permit any of the cruisers to sail before the month of March next is expired, and it is assured, his Excellency has written his Catholic Majesty to the same effect.

This Prince has also, within these few days, returned to the Count seven fusileers, belonging to Oran, sent here by the Bey of Mascara, found by the Moors at some distance from the stipulated limits of that garrison, as this regency, on the first overtures of a peace, would not agree that Oran should be included, but which they have at length consented to, so that Oran remains with-

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out any communication with the Moors of the Kingdom of Algiers, and in the same manner that Ceuta has been for a long time with the Moors of Morocco.

FROM COUNT DE FLORIDA BLANCA.

Translation.

Most excellent Sir,

Having immediately granted the passports to Messrs. Lamb and Randall, requested in a note of 22nd of this month, from Dr. William Carmichael, the underwritten, first Secretary of State, by order of his Majesty, transmits a letter for the Captain General of Catalonia, to facilitate their passage to Algiers, in what may depend upon him. And as to their commission to treat of peace between the United States and that Regency, the King will not omit to repeat the proofs of his good will towards the United States, according to circumstances and their reciprocal good correspondence.

At the Pardo, 31st May, 1786.

FLORIDA BLANCA.

FROM COUNT DE FLORIDA BLANCA.

Translation.

Most excellent Sir,

Messrs. Lamb and Randall, Americans, commissioned by the United States to treat of peace with that Regency, being about to pass to Algiers, I recommend them to your Excellency by order of the King, that you may facilitate

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their embarkation, and do them any services that may depend on your Excellency.

At the Pardo, 31st May, 1786.

FLORIDA BLANCA.

FROM THOMAS JEFFERSON TO JOHN JAY.

Paris, May 22, 1786.

Sir,

The duty has been imposed on me of making the following communication to Congress.

It is necessary for me previously to observe, that though the government of the United Netherlands have both an ordinary and extraordinary Ambassador here, yet the patriotic party now decisively possessed of all the powers of government have sent hither a Rhingrave de Salm, as possessing plenary confidence, to treat with this Court on some matters not yet made known to the public. His character and credit accordingly are so well known here, that passing by the regular Ambassadors, they are actually in negotiation with him.

He took occasion to speak with me to-day on the subject of Mr. Dumas: after saying much in his favor, he assured me that Congress could not so much oblige the patriotic party, as by naming Mr. Dumas to their diplomatic appointment at the Hague; and further that should they have any thing interesting to do there, there was no other man, who could do it so effectually as Mr. Dumas.

I wished to avoid flattering his expectations and therefore mentioned to him the resolution of Congress, confining their diplomatic appointments to citizens of the United States.

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He seemed to admit they could not expect him to be made Minister Plenipotentiary, but asked if it would not be possible to give him the character of Resident.

I told him we were in the usage of appointing only one character inferior to that of Minister Plenipotentiary which was that of Chargé d'Affaires: that I was far from presuming to say, that could be obtained in the present case; but that one other difficulty occurred to me in that moment. I observed that they had a Minister Plenipotentiary with Congress, and that Congress naming for their Court only a Chargé d'Affaires might perhaps be considered as disrespectful, and might occasion the recall of their Minister. He assured me it would not; nay, that it should not. We are, contiuued he, but a party, and therefore cannot make a formal declaration on this subject, but we know how far we can undertake, and if you please, the members of our party shall go and make a declaration privately, before the French Ambassador at our Court, that nothing amiss shall be conceived of it, and that our Minister shall not be affected by it. I told him this would not be desired. He asked me if I thought Count de Vergennes writing a second letter on this subject would be of service.

I told him I could not suppose a repetition of his application could be material.

My object in avoiding a second letter from the Count de Vergennes, as well as the declaration before the French Ambassador, was, that embarrassments might not be multiplied, if Congress should not think proper to comply with their requests. He concluded by desiring I would urge this matter to Congress.

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It seems certain that Mr. Dumas has rendered himself very useful to the Governments of both France and Holland, in the late negotiations. It was natural, therefore, that these Governments should provide for him.

I know not how it has happened that we are resorted to on the occasion, unless, perhaps, it is the particular wish of Mr. Dumas to receive this species of reward.

Be this as it may, the reigning party in the United Netherlands, and the Government of this country, commit themselves on this application, and it becomes a matter of calculation, in which their favor, and the occasions we may have for it, are to be weighed against the sacrifices the present applications call for.

To pronounce on this, would be beyond my province, which is merely that of being the channel of communication; this being desired in form, I supposed it my duty to comply with.

I have the honor to be, &c.

TH: JEFFERSON.

FROM THOMAS JEFFERSON TO JOHN JAY.

Paris, May 23, 1786.

Sir,

Letters received, both from Madrid and Algiers, while I was in London, having suggested that treaties with the States of Barbary would be much facilitated, by a previous one with the Ottoman Porte, it was agreed between Mr. Adams and myself, that, on my return, I should consult on this subject the Count de Vergennes, whose long residence at Constantinople rendered him the best judge of its expediency.

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Various circumstances have put it out of my power to consult him till to day.

I stated to him the difficulties we were likely to meet with at Algiers, and asked his opinion, what would be the probable expense of a diplomatic mission to Constantinople, and what its effect at Algiers.

He said, that the expense would be very great, for that presents must be made at that Court, and every one would be gaping after them; and that it would not procure us a peace at Algiers one penny the cheaper; he observed, that the Barbary States acknowledged a sort of vassalage to the Porte, and availed themselves of that relation when any thing was to be gained by it; but, that whenever it subjected them to a demand from the Porte, they totally disregarded it; that money was the sole agent at Algiers, except so far as fear could be induced also. He cited the present example of Spain, which, though having a treaty with the Porte, would probably be obliged to buy a peace at Algiers, at the expense of upwards of six millions of livres.

I told him we had calculated, from the demands and information of the Tripoline Ambassador at London, that to make peace with the four Barbary States, would cost us between two and three hundred thousand guineas, if bought with money. The sum did not seem to exceed his expectations.

I mentioned to him, that, considering the uncertainty of a peace when bought, perhaps Congress might think it more eligible to establish a cruise of frigates in the Mediterranean, and even to blockade Algiers.

He supposed it would require ten vessels, great and small.

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I observed to him, that Monsieur de Massiâc had formerly done it with five.

He said it was true, but that vessels of relief would be necessary. I hinted to him, that I thought the English capable of administering aid to the Algerines. He seemed to think it impossible, on account of the scandal it would bring on them. I asked him what had occasioned the blockade by M. de Massiâc, he said, an infraction of their treaty by the Algerines.

I had a good deal of conversation with him also, on the situation of affairs between England and the United States, and particularly on their refusal to deliver up our posts.

I observed to him, that the obstructions thrown in the way of the recovery of their debts, were the effect and not the cause, as they pretended, of their refusal to deliver up the posts. That the merchants interested in these debts, shewed a great disposition to make arrangements with us. That the article of time we could certainly have settled, and probably that of the interest during the war. But that the Minister shewing no disposition to have these matters arranged, I thought it a sufficient proof, that this was not the true cause of their detaining the posts. He concurred as to the justice of our requiring time for the payment of our debts, said nothing which shewed a difference of opinion as to the article of interest, and seemed to believe fully their object was to divert the channel of the fur trade, before they delivered up the posts, and expressed a strong sense of the importance of that commerce to us.

I told him I really could not foresee, what would be the event of this detention, that the situation of the British

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funds, and desire of their Minister to begin to reduce the national debt, seemed to indicate that they could not wish a war.

He thought so, but that neither were we in a condition to go to war.

I told him I was uninformed what Congress proposed to do on this subject; but that we should certainly always count on the good offices of France, and I was sure that the offer of them would suffice to induce Great Britain to do us justice. He said that surely we might always count on the friendship of France. I added, that by the treaty of alliance, she was bound to guarantee our limits to us, as they should be established at the moment of peace. He said they were so, *mais qu'il nous etoit necessaire de les constater*. I told him there was no question what our boundaries were; that the English themselves admitted they were clear beyond all question.

I feared, however, to press this any further, lest a reciprocal question should be put to me, and, therefore, diverted the conversation to another object.

This is a sketch only of a conference which was lengthy. I have endeavored to give the substance, and sometimes the expressions, where they were material.

I supposed it would be agreeable to Congress to have it communicated to them in the present undecided state in which these subjects are.

I should add, that an explanation of the transaction of Monsieur de Massiâc with the Algerines, before hinted at, will be found in the enclosed letter from the Count d'Estaing to me, wherein he gives also his own opinion. The whole is submitted to Congress, as I conceive it my

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duty to furnish them with whatever information I can gather, which may throw any light on the subjects depending before them.

I have the honor to be, &c.

TH: JEFFERSON.

FROM COUNT D'ESTAING TO THOMAS JEFFERSON.

Paris, May 17, 1786.

Sir,

In giving you an account of an opinion of Mr. Massiac, and which absolutely corresponds with my own, I cannot too much observe how great a difference may take place in the course of forty years, between the means which he required, and those which political circumstances that I cannot ascertain may exact.

This Secretary of State, afterwards Vice-Admiral, had the modesty when a captain to propose a means for the reduction of Algiers, less brilliant for himself, but more sure and economical than the one government was about to adopt.

They wanted him to undertake a bombardment. He proposed a simple blockade. All the force he required was a single line of battle ship, two strong frigates, and two sloops of war.

I am convinced that by blockading up Algiers, cross anchoring, and with a long range, that is to say, with several cables spliced to each other, and with iron chains, one might if necessary always remain there, and there is no barbarian power thus confined, which would not soon sue for peace.

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During the war before last, the English remained, even in winter, at anchor before Morbian on the coast of Brittany, which is a much more dangerous coast.

Expeditious preparation for sailing of the vessels which form the blockade, which should be of a sufficient number to prevent any thing from entering or going out, while the rest remain at their stations, the choice of these stations, skilful manœuvres, strict watch during the night, every precaution against the element which a seaman ought to be acquainted with; also against the enemy to prevent the sudden attack of boats, and to repel them in case they should make an attack, by *bastingages* prepared for the purpose, frequent refreshments for the crews, relieving the men, an unskaken constancy and exactness in the service, are the means which in my opinion would render the event indubitable.

Bombardments are but transitory. It is, if I may so express myself, like breaking glass windows with guineas. None have produced the desired effect against the barbarians. Even an imperfect blockade, were one to have the patience and courage to persist therein, would occasion a perpetual evil, it would be insupportable in the long run; to obtain the end proposed no advantage ought to be lost. If several powers would come to a good understanding, and pursue a plan formed on the principles of humanity; if they were not counteracted by others, it would require but a few years to compel the barbarians to cease being pirates, they would become merchants in spite of themselves. It is needless to observe, that the unsuccessful attempts of Spain and those, under which the republic of Venice perhaps hides other views, have increased the strength as well as the self-love of all the

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barbarians. We are assured that the Algerines have fitted out merchant men with heavy cannon. This would render it necessary to blockade the place with two ships of the line, so that one of the two might remain moored near the bar, while the other might prepare to support such of the frigates, as should give chase.

But their chebecs, even their frigates, and all their vessels, although overcharged with men, are moreover so badly armed and manœuvred, that assistance from without would be most to be feared.

Your Excellency has told me the only and true means of bringing to terms, the only people who can take a pleasure in disturbing *our* commerce. You see I speak as an American citizen, this title dear to my heart, the value of which I fully prize, affords me the happy opportunity of offering still more particularly the homage, the sincere attachment and respect, with which I have the honor to be, &c.

ESTAING.

FROM THOMAS JEFFERSON TO JOHN JAY.

Paris, May 27, 1786.

Sir,

In my letter of the 12th instant, which goes by the same packet, but was delivered to a private hand, I had the honor of enclosing to you, letters from Mr. Carmichael, Mr. Barclay and Mr. Lamb, on the Barbary affairs. Others came to hand last night, which are now copying, and will be enclosed to you by the post of this day, as far as they can be copied. The whole cannot possibly be in readiness, and it is the last

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post which will be in time for the packet. By these, you will see that Mr. Lamb is returned to Spain. I expect soon from Mr. Adams, an answer to my letter, proposing to instruct Mr. Lamb to repair to Congress.

The agreement supposed to be made between Spain and Algiers, that the latter shall make no peace with any nation not under treaty with the Porte, is difficult of explanation; its existence, however, may account for the difference of opinion between the Counts de Vergennes and D'Espilly, as to the expediency of our treating with the Porte. If Mr. Adams concurs with me in opinion, we shall cease all further proceedings with the Barbary powers, till we receive further instructions from Congress; except as to Morocco, which I have hopes we may better succeed in.

I have the honor to be, &c.

TH: JEFFERSON.

FROM P. R. RANDALL TO JOHN ADAMS AND THOMAS JEFFERSON.

Madrid, May 14, 1786.

Since my arrival here from Carthagena, I have been in constant expectation of a secure opportunity for forwarding the enclosed, being nearly the copy of a letter, I wrote to my father, shortly after my landing in Spain. It contains all the observations I have been enabled to make, by reason of the obstacles which (in my situation at Algiers) prevented particular inquiry. Indeed, I had not the most distant idea of remaining for so short a time, otherwise, perhaps, I might have afforded greater satisfaction in this respect.

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I have not received any letters from Mr. Lamb, since his arrival at Alicant; but have lately heard, that he is released from quarantine. He may, therefore, be expected here every day, as he had informed Mr. Carmichael, of his intention of coming up immediately.

I shall be governed by his orders, and endeavor, still to evince, that nothing on my part has been, or shall be wanting, to fulfil my duty. Although I must hope, that circumstances will be considered, if my services have not been equal to the expectation formed of them. Haste, and the little opportunity I have had to prepare my observations, as well as the manner of writing in a crowd, I trust, will plead my apology for delivering them in their present state, especially, as my father might have communicated in New York, the intelligence they contain. I have, therefore, conceived that alterations might be improper, as your Excellency will distinguish what is well founded, and may be enabled to judge what opinion might be formed of them, in New York.

The Envoys from Portugal and Naples are still at Carthagena, awaiting the completion of the Spanish treaty.

This Court would undoubtedly have wished Mr. Lamb to remain in like manner, if his instructions could have justified the delay, before their interference could, consistent with their own interest, be employed in favor of the United States.

The Portuguese Envoy told me, at Carthagena, that he had no expectations of succeeding, and would rather see a confederacy formed against the Barbary States, by those with whom they are at war. He appeared much dissatisfied at being so long delayed. It would be presumption in me to offer any news; Mr. Carmichael being

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so much better enabled to afford information, and will write by the present occasion.

I am, with proper respect, &c.

P. R. RANDALL.

FROM THOMAS JEFFERSON TO JOHN JAY.

Paris, May 27, 1786.

Sir,

In my letter of January 2nd, I had the honor of stating to you, what had passed here on the subject of the commerciable articles, between this country and the United States. I beg leave now to resume that subject. I therein informed you, that this Government had agreed to receive our fish oils, on the footing on which they receive those of the Hanseatic towns, which gave us a reduction of duty from 36 liv. 15s. on the *barrique*, to 11 liv. 5s. amounting to about 42 liv. on the English ton, according to a statement by Monsieur Sangrain, enclosed in that letter. This was true; but there was another truth which neither that statement, nor any other evidence I then had, enabled me to discover, and which it is but lately I could be ascertained of; which is, that there is another duty called the *droit des huiles et savons*, to which the Hanse towns are subject, as we are also, of consequence. This is of six deniers on the nett pound, and ten sous per livre on that, amounting to 3 liv. 15s. on the nett hundred, French weight, or to 60 liv. 13s. 6d. the English ton. This, with the reduced duty, makes about 102 liv. 13s. 6d. or very nearly four guineas, according to the present exchange, on the English ton. Though this be

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still advantageous, when compared with the English duty of eighteen guineas, yet it is less so than we had expected, and it will remain when we apply for a renewal of the indulgence, to see whether we can obtain further reduction.

The fur trade is an object of desire in this country. London is at present their market for furs; they pay for them there in ready money. Could they draw their furs into their own ports from the United States, they would pay us for them in productions, nor should we lose by the exchange of market, since, though the French pay the London merchants in cash, those merchants pay us in manufactures. A very wealthy and well connected company, is proposing here to associate themselves with an American company, each to possess half the interest, and to carry on the fur trade between the two countries. The company here expect to make the principal part of the advances. They also, are soliciting considerable indulgences from this Government, from which the part of the company on our side the water will reap half the advantage. As no exclusive idea enters into this scheme, it appears to me worthy of encouragement. It is hoped the Government here will interest themselves for its success. If they do, one of two things may happen, either the English will be afraid to stop the vessels of a company consisting partly of French subjects, and patronized by the Court; in which case the commerce will be laid open generally, or if they stop the vessels, the French company, which is strongly connected with men in power, will complain in form to their government, who may thus be interested as principals in the rectification of this abuse; as yet however the proposition has not taken such

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a form, as to assure us that it will be prosecuted to this length.

As to the article of tobacco, which had become an important branch of remittance to all the States, I had the honor of communicating to you my proposition to the Court, to abolish the monopoly of it in their farm. That the Count de Vergennes was, I thought, thoroughly sensible of the expediency of this proposition, and disposed to befriend it; that the renewal of the lease of the farms had been consequently suspended six months, and was still in suspense, but that so powerful were the Farmers General, and so tottering the tenure of the Minister of Finance in his office, that I despaired of preventing the renewal of the farm at that time.

Things were in this state when the Marquis de Lafayette returned from Berlin. On communicating to him what was on the carpet, he proposed to me a conference with some persons well acquainted with the commercial system of the country. We met—they proposed the endeavoring to have a committee appointed to inquire into the subject: the proposition was made to the Count de Vergennes, who befriended it, and had the Marquis de Lafayette named a member of the Committee. He became of course the active and truly zealous member for the liberty of commerce, others though well disposed not choosing to oppose the farm openly. This Committee has met from time to time. It shewed an early and decisive conviction, that the measure taken by the farm to put the purchase of their tobaccoes into monopoly on that side the water, as the sale of them was on this, tended to the annihilation of commerce between the two countries; various palliatives were proposed from time to

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time. I confess that I met them all with indifference: my object being a radical cure of the evil, by discontinuing the farm, and not a mere assuagement of it for the present moment, which rendering it more bearable, might lessen the necessity of removing it totally and perhaps prevent that removal.

In the meantime, the other branches of the farm rendered the renewal of the lease necessary, and it being said to be too far advanced to have the article of tobacco separated from it and suspended, it was signed in the month of March, while I was in England, with a clause, which is usual, that the King may discontinue when he pleases, on certain conditions.

When I found here a memorial from the merchants of L'Orient complaining of their having 6,000 hhds. of tobacco on hand, and of the distresses they were under from the loss of this medium of remittance, I enclosed it to the Count de Vergennes and asked his interference. I saw him on the 23rd instant and spoke to him on the subject. He told me there was to be a Committee held the next day at Berni, the seat of the Comptroller General, and that he would attend it himself to have something done. I asked him if I was to consider the expunging that article from the farm as desperate.

He said the difficulty of changing so ancient an institution was immense; that the King draws from it a revenue of twenty-nine millions of livres; that an interruption of this revenue at least, if not a diminution, would attend a change; that their finances were not in a condition to bear even an interruption, and in short, that no Minister could venture to take upon himself so hazardous an operation. This was only saying explicitly, what I had long

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been sensible of, that the Comptroller General's continuance in office was too much on a poise, to permit him to shift this weight out of his own scale, into that of his adversaries. And that we must be contented to await the completion of the public expectation, that there will be a change in this office, which change may give us another chance for effecting this desirable reformation. Incidents enough will arise to keep this object in our view, and to direct the attention to it, as the only point on which the interests and harmony of the two countries (so far as this article of their commerce may influence) will ultimately find repose.

The committee met the next day. The only question agitated was, how best to relieve the trade under its double monopoly.

The committee found themselves supported by the presence and sentiments of the Count de Vergennes. They, therefore, resolved, that the contract with Mr. Morris, if executed on his part, ought not to be annulled here; but that no similar one should ever be made hereafter. That so long as it continued, the farmers should be obliged to purchase from twelve to fifteen thousand hogsheads of tobacco a year, over and above what they should receive from Mr. Morris, from such merchants as should bring it in French or American vessels, on the same condition, contracted with Mr. Morris, providing, however, that where the cargo shall not be assorted, the prices shall be thirty-eight, thirty-six, and thirty-four livres, for the first, second, and third qualities, of whichsoever the cargo may consist. In case of dispute about the quality, specimens are to be sent to the council, who will appoint persons to examine and decide on it. This is, indeed, the

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least bad of all the palliations which have been proposed; but it contains the seeds of perpetual trouble. It is easy to foresee that the farmers will multiply difficulties and vexations on those who shall propose to sell to them by force, and that these will be making perpetual complaints, so that both parties will be kept on the fret.

If, without fatiguing the friendly dispositions of the Ministry, this should give them just so much trouble, as may induce them to look to the demolition of the monopoly, as a desirable point of rest, it may produce a permanent as well as a temporary good. This determination of the committee needs the King's order to be carried into effect. I have been in hourly expectation of receiving official information, that it is ultimately confirmed by him. But, as yet, it is not come, and the post will set out to day. Should it arrive in time, I will enclose it. Should it not arrive, as I do not apprehend any danger of its being rejected, or even altered materially, (seeing that M. de Vergennes approved of it, and M. de Calonne acquiesced.) I have supposed you would wish to be apprized of its substance, for a communication of which I am indebted to the M. de la Fayette, though you cannot publish it formally, till you know it is confirmed by the King, yet an unauthoritative kind of notice may be given to the merchants, to put them on their guard, otherwise, the merchants here having first knowledge of it, may, by their agents, purchase up all the tobacco they have on hand, at a low price, and thus engross to themselves all the benefit.

In the same letter, of January 2nd, I mentioned, that the rice of Carolina, compared with that of the Mediterranean, was better and dearer. This was on my own

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observation, having examined both in the shops here, where they are retailed. Further inqniries give me reason to believe that the rice of Carolina, on its arrival, is fouler and cheaper; and that it is obliged to be cleaned here, before it is saleable; that this advances the price, but, at the same time, the quality also, beyond that of the Mediterranean. Whether the trouble of this operation discourages the merchant, or the price, the consumer, or whether the merchants of Carolina have not yet learned the way to this market, I cannot tell. I find, in fact, that but a small proportion of the rice consumed here, is from the American market. But the consumption of this article here is immense. If the growers of American rice would endeavor to adapt their preparation of it to the taste of this country, so as to give it, over the Mediterranean rice, the advantage of which it seems susceptible, it would very much increase the quantity for which they find sale. As far as I have been able to find, it is received here on a favorable footing.

I shall reserve my letter open to the last moment, in hopes of being able to put into it the order of the King to the Farmers General.

I have the honor of enclosing a copy of their contract with Mr. Morris, to which the resolution of the committee refers, and to be, with sentiments of the most perfect respect, &c.

TH: JEFFERSON.

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TOBACCO CONTRACT.

Translation.

We, the undersigned Robert Morris, heretofore Superintendent of the Finances of the United States of America, residing in Philadelphia, on the one part, and Le Normand, Receiver General of the Finances of the Generality of la Rochelle, residing in Paris, on the other part, have agreed, and have respectively treated with each other, about the sale and purchase of sixty thousand hogsheads of tobacco, from nine to ten hundred weight, of the different growths of the continent of America, on the following terms and conditions, viz:

That I, Robert Morris, engage on my part: 1st, To ship and deliver at the several ports of France, hereafter specified, the whole at my hazard and risk, until the total delivery, to the said Sieur Le Normand, the sixty thousand hogsheads of tobacco, in the space of the three successive years of 1785, 1786, 1787, at the rate of twenty thousand hogsheads per annum.

2nd. I moreover engage to assort each annual compliment in the following proportions, viz:

One-fourth part James and York river tobacco; half Potomac and Rappahannock; and the other fourth in Maryland tobacco, one third of which, at least, fit for smoking; the whole of the first qualities fit for France.

3rd. I also oblige myself to ship the sufficient quantity in vessels, which shall be *American in preference to French*, that the aforesaid quantity of twenty thousand hogsheads shall arrive in the ports of Bourdeaux, Havre de Grace, Dieppe and Morlaix, in the following proportions, viz: seven thousand hogsheads to Bourdeaux, seven

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thousand to Havre de Grace, three thousand to Dieppe, and three thousand to Morlaix. Observing that the proportion of Maryland tobacco fit for smoking, shall of preference be comprehended in equal proportions in the parcels sent to Morlaix, Bourdeaux and Havre.

And in case where any shipments shall exceed in one year the aforesaid distribution, the excess shall be carried in augmentation to Havre de Grace.

4th. The tobacco shipped and delivered in conformity to the aforesaid, shall be paid for by the said Sieur Le Normand to me, at the price of thirty-six livres tournois for each hundred weight marc weight, and the said Sieur Le Normand shall discharge the amount of each cargo within a month after the delivery to Messrs. Le Couteulx & Co. my bankers in Paris, deducting, however, two livres tournois for each hundred marc weight, for the reimbursement of a million advance, which the said Sieur Le Normand has put into the hands of the aforesaid Messrs. Le Couteulx & Co. to hold at my disposal, as appears by their receipt at foot of the present contract.

5th. I consent that the two thousand hogsheads, of which I have given advice, by my letter of 27th October, to the said Sieur Le Normand, of the purchase and speedy loading for the port of Havre de Grace, shall make part of my first delivery for this year, and shall be paid for to me at the price of thirty-six livres tournois, with the deduction of two livres tournois per hundred weight, as is specified in the preceding article.

6th. For the mode of delivering the tobacco; it shall be taken out of the hogsheads, and none shall be rejected but what is damaged; then the tobacco shall be weighed on the quay, and received at the weight it really weighed,

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without any deduction whatever, and until it is weighed, it shall be at my risk and expense.

7th. The damaged tobacco shall be cut and sent to some other place, if my correspondents shall think proper, otherwise it shall be burned in their presence.

And I, Le Normand, accept in general, and submit to all the clauses and conditions mentioned in the seven foregoing articles; and, as a preliminary to the present contract, I have remitted the sum of a million of livres tournois, mentioned in the 4th article, to Messrs. Le Couteulx & Co. as appears by their receipt annexed at the foot of the present contract, for the said sum, to be re-imbursed conformably to said article. I moreover consent,

1st. That in case that the vessels employed in this business, shall become subject to greater or new duties or taxes, than what the French vessels coming from France pay, the aforesaid duties shall be charged to me.

2nd. That all the duties which hereafter or posterior to the present treaty, may be put either on exportation from America, or on the importation into France, shall be charged to me, and in consequence I will be accountable to Mr. R. Morris for those which may happen in America, on the exportation, at the rate of 5 liv. 5s. tournois for each hard dollar, and this upon an authentic certificate that the duty is imposed.

3rd. I engage that the Farmers General shall not make, either directly or indirectly, any purchases of tobacco in America, and, consequently, if I have occasion for a greater quantity of tobacco, it shall be furnished to me, on the same price and conditions.

Done in five parts, at Paris, four of which to be sent

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to America, by the English and French packets, the fifth to be deposited in the hands of Messrs. Le Couteulx & Co.

At Paris, 11th January, 1785,

LE NORMAND,

Receiver General of Finances.

Signed at Philadelphia, 10th April, 1785,

ROBERT MORRIS.

Certified to be true and conformable to the original in my hands, at Paris, 20th February, 1788.

LE NORMAND.

We, the undersigned, acknowledge to have received from Mr. Le Normand, Receiver General of the Finances of the Generality of la Rochelle, the sum of one million livres tournois, in effects to our satisfaction, which we promise to hold at the disposal of Mr. Robert Morris, heretofore Superintendent General of the Finances of the United States of America, after the absolute acceptation of the present treaty, a duplicate of which has been placed in our hands.

At Paris, 11th January, 1785.

LE COUTEULX & CO.

FROM THOMAS JEFFERSON TO JOHN JAY.

Paris, May, 31, 1786.

Sir,

A safe opportunity occurring by the way of London, I have it now in my power to transmit you the sequel of the papers relative to Algiers, which could not be in rea-

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diness to go with my letter of the 27th inst. by the French packet, which I expect will sail from L'Orient to-morrow.

I am enabled at the same time to send you a copy of the resolutions of the Committee on the subject of the tobacco together with a copy of the Count de Vergennes' letter to me, giving official notice of them, having enclosed a copy of Mr. Morris's contract in my letter of May 27th on the same subject. You will be enabled to give such notice of the whole as you think proper.

I have the honor to be, &c.

TH: JEFFERSON.

FROM THE COUNT DE VERGENNES TO THOMAS JEFFERSON.

Translation.

Versailles, May 30, 1786.

Sir,

I take the earliest opportunity to inform you, that notwithstanding the treaty, which the Farmers General have made with Mr. Robert Morris, for the delivery of a certain quantity of tobacco, they have just concluded to take in the way of trade as much as 15,000 hogsheads per annum. To let you understand better the extent of the decision in question, I send it to you in the extract enclosed. I beg that you will make it known both in America, as also to the American owners of vessels, who may be found in our ports, so that they may direct their commercial speculations accordingly.

I have the honor to be, &c.

DE VERGENNES.

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Translation.

Resolves of a Committee held at Berni, 24th March, 1786.

The Committee resuming their former deliberations respecting a treaty made with Mr. Morris, informed of the circumstances in which it was made: also informed of the despatch of twelve thousand hogsheads of tobacco, the approaching arrival of which has been announced by Mr. Couteulx, the correspondent of Mr. Morris, have unanimously thought, that the execution of the treaty ought to extend until the 1st of January, 1788, saving the right of annulling in case of failure of execution, on the part of the said Mr. Morris, the conditions of the said treaty, taking afterwards into consideration the interest of the national commerce, with that of the United States, have agreed on the resolutions hereafter enumerated.

1st. After the expiration of the treaty with Mr. Morris, there shall be made no more bargains of the same kind.

2nd. The Farmer General shall always have in his magazines a necessary supply for the exercise of his privilege, which supply shall be formed, by what shall be furnished by the contract with Mr. Morris, as well as by what he shall procure by means of commerce.

3rd. To secure this supply the Farmer General shall purchase, during the continuation of the contract with Mr. Morris, only the tobacco which can be furnished by trade and brought in French or American vessels, to the amount of 12 *to* 15 *thousand hogsheads* every year, at the same price, and on the same conditions stipulated with the said Mr. Morris.

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4th. In cases where cargoes shall not be assorted, the tobacco shall be paid for at the following prices:

	Livres.
1st quality James and York river tobacco, nett cwt.	38
2nd do Potomac and Rappahanock - -	36
3rd do Maryland tobacco - - - -	34

All the first qualities of each kind proper for France.

5th. In cases of difficulty respecting the quality, samples shall be sent to the Council, and it shall be determined by a commission, which shall be authorized to have the samples examined, by such person as may be proper.

6th. When the tobacco furnished by the Americans shall not be delivered in a manufacturing port, there shall be deducted from the stipulated prices, thirty sols per nett quintal, for expenses of transportation.

FROM JOHN JAY TO THOMAS JEFFERSON.

New York, August 18, 1786.

Sir,

My last to you was dated the 14th of last month, since which, I have received and laid before Congress, your several letters of 12th, 22nd, 23rd, two of 27th, and one of 31st May last, with the papers enclosed with them.

It has happened from various circumstances, that several reports on foreign affairs still lay before Congress, undecided upon. The want of an adequate representation for long intervals, and the multiplicity of business which pressed upon them when that was not the case, has occasioned delays and omissions, which, however

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unavoidable, are much to be regretted. It is painful to me, to reflect, that, although my attention to business is unremitted, yet I so often experience unseasonable delays and successive obstacles, in obtaining the decision and sentiments of Congress, even on points which require despatch. But so it is, and I must be content with leaving nothing undone, that may depend upon me.

The Consular Convention is now, as it has long been, under the consideration of Congress, and I have reason to hope, they will soon enable me to send you full instructions on that subject.

I have long thought, and become daily more convinced, that the construction of our Federal government is fundamentally wrong. To vest legislative, judicial and executive power in one and the same body of men, and that too in a body daily changing its members, can never be wise. In my opinion, those three great departments of sovereignty should be forever separated, and so distributed, as to serve as checks on each other. But these are subjects that have long been familiar to you, and on which you are too well informed, not to anticipate every thing that I might say on them.

I enclose a late ordinance of Congress for Indian affairs, and their requisition for the ensuing year. Those subjects have consumed much time; they are, however, important ones, and the attention of Congress to them, could not, with propriety, have been postponed.

I have advised Congress to renew your commission, as to certain powers. Our treasury is ill supplied; some States pay nothing, and others very little. The impost not yet established. The people, generally, uneasy in a certain degree, but without seeming to discern the true

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cause, viz: want of energy, both in State and Federal Governments. It takes time to make sovereigns of subjects.

I am, dear sir, &c.

JOHN JAY.

FROM JOHN JAY TO THOMAS JEFFERSON.

Office for Foreign Affairs,
October 3, 1786.

Sir,

I have the honor of transmitting you herewith enclosed, the following papers, viz:

No. 1. A copy of the Consular Convention signed by the French and American Plenipotentiaries.

No. 2. A copy of the act of Congress, under which the American Plenipotentiary signed the same.

No. 3. A copy of a scheme of a Convention mentioned and referred to in said act.

No. 4. A copy of a report on the said Covention.

No. 5. A copy of an act of Congress containing instructions and giving authority to you, on the subject of the said Convention.

These papers will possess you fully of the whole business. I am persuaded that it will appear to you as it does to Congress, to be a delicate one, and to require delicate management.

The original scheme of the Convention is far from being unexceptionable, but a former Congress having agreed to it, it would be improper now to recede; and therefore Congress are content to ratify a Convention made con-

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formable to that scheme, and to their act of the 25th day of January, 1782, provided a clause limiting its duration be added. It will be proper therefore, to press on the Court, *only* such objections to the Convention, as arise from its departure from the scheme. On making an accurate comparison, such departure will appear manifest to his Majesty; and there is reason to expect from his candor, that he will readily consent to remove the objections occasioned by it.

As it certainly is wise to try the merits of institutions entirely new, by actual experience, before nations adopt them forever, the propriety of rendering this Convention probationary in the first instance, is unquestionable. Congress cannot, therefore, presume that his most Christian Majesty will object to a clause, for limiting its duration. The design of this Convention being for mutual and reciprocal benefit and convenience, it would be doing injustice to his Majesty, to suppose that he would wish to provide for its existing longer, than it should prove useful and satisfactory.

If, after the experience of a few years, it should be found to answer the purposes intended by it, both parties will have sufficient inducements to renew it, either in its present form, or with such alterations and amendments, as time, experience, and other circumstances, may indicate.

With great respect, &c.

JOHN JAY.

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FROM THOMAS JEFFERSON TO WILLIAM CARMICHAEL.

Paris, June 20, 1786.

Dear Sir,

My last to you, was of the 5th May, by Baron Walterstorff. Since that I have been honored with yours of April the 13th, and May the 16th, and 18th. The present covers letters to Mr. Lamb and Mr. Randall, informing them that the demands of Algiers, for the ransom of our prisoners, and also for peace, are so infinitely beyond our instructions, that we must refer the matter back to Congress, and, therefore, praying them to come on immediately. I will beg the favor of you to forward these letters. The whole of this business, therefore, is suspended till we receive further orders, except as to Mr. Barclay's mission. Your bills have been received and honored. The first, naming expressly a letter of advice, and none coming, it was refused till the receipt of your letter to me, in which you mentioned, that you had drawn two bills. I immediately informed Mr. Grand, who thereupon honored the bill.

I have received no public letters of late date. Through other channels, I have collected some articles of information, which may be acceptable to you.

* * * * * * *

In a letter of March the 20th, from Dr. Franklin to me, is this passage: "As to public affairs, the Congress has not been able to assemble more than seven or eight States, during the whole winter, so the treaty with Prussia remains still unratified, though there is no doubt of its being done soon, as a full Congress is expected next month. The disposition to furnish Con-

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gress with ample powers augments daily, as people become more enlightened. And I do not remember ever to have seen, during my long life, more signs of public felicity than appear at present, throughout these States. The cultivators of the earth, who make the bulk of our nation, have made good crops, which are paid for at high prices, with ready money; the artisans too, receive high wages; and the value of all real estate is augmented greatly. Merchants and shopkeepers, indeed, complain that there is not business enough. But this is evidently not owing to the fewness of buyers, but to the too great numbers of sellers; for the consumption of goods was never greater, as appears by the dress, furniture, and manner of living, of all ranks of the people." His health is good, except as to the stone, which does not grow worse. I thank you for your attention to my request about the books, which Mr. Barclay writes me, he has forwarded from Cadiz.

I have the honor to be, &c.

TH: JEFFERSON.

FROM THOMAS JEFFERSON TO JOHN JAY.

Paris, April 8, 1786.

Sir,

My letters to you by the last French packet, were dated May 12th, 22nd, 23rd, 27th, 27th, and I sent, by the way of London, one dated May 31st. Since this I have been honored with yours of May 5th, the letter therein enclosed for Mr. Dumas, has been duly forwarded; and the report on the subject, of the Consular Con-

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vention, I delivered to the Count de Vergennes, the first levee day, after the return of the King, who was gone to Cherbourg, at the time of my receiving it. Mr. Randall being so far on his return, and meaning to go by the way of London, where his stay will be short, he will be the bearer of this letter, with which I have an opportunity of enclosing the last letters, I have received from Mr. Barclay and Mr. Lamb. Mr. Barclay left Cadiz soon after the date of his letter. I wrote to Mr. Lamb on the 20th June, with the concurrence of Mr. Adams, to repair to Congress with all possible despatch; recommending, but not enjoining, his coming by the way of Marseilles and Paris, supposing it possible, that the information he might communicate, might be usefully applied by Mr. Adams and myself, in the execution of the commands of Congress. I afterwards wrote him another letter, desiring expressly, that, if this route was likely to retard much his attendance on Congress, he would take such other as should be shortest.

At the desire of Monsieur Houdon, I have the honor to enclose to you his propositions, for making the equestrian statue of General Washington.

In the autumn of the last year, I received letters from an American master of a ship, of the name of Asquith, informing me that he had had a most disastrous passage across the Atlantic, that they had put into Brest, when in such distress, that they were obliged to make the first port possible, that they had been immediately seized by the officers of the Farmers General, their vessel and her lading seized, and that themselves were then in jail, suffering from every want. Letters by every post gave me to believe their distress was very real, all

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their cash was soon exhausted, and the winter setting in very severely, I desired a merchant of Brest to furnish them a livre a day a piece. It was sometime before I could be ascertained of the nature of the proceedings against them; it proved at length to be a prosecution, as for endeavoring to introduce tobacco in contraband. I was induced to order this allowance, from evidence that the men, six in number, must inevitably perish, if left to the pittance allowed by the Farmers General to their prisoners, and from a hope that the matter would soon be decided. I was led on by this delusive hope from week to week, and month to month, and it proved to be ten months before they were discharged. I applied early to Count de Vergennes, and was informed by him, that the matter being in a regular course of law, there could be no interference, and that, if the sentence should be against them, I might expect a remission of so much of it, as should depend on the King. They were condemned to forfeit their vessel and cargo, to a fine, and to the gallies; the fine and condemnation to the gallies were remitted immediately by the King; but the forfeiture of the vessel and cargo being for the benefit of the Farmers, he could not remit that. They were also to pay the expenses of their prosecution, and to remain in jail till they did it; so that upon the whole, I was obliged to advance for them 2620*liv.* 2*s.*, being somewhat upwards of one hundred guineas; for which, I informed Asquith from the beginning, he must consider himself as answerable to the United States. I accordingly enclose the account, shewing the purposes for which the money was paid, and his own original acknowledgment, that it was for his use. I own, I am un-

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certain whether I have done right in this, but I am persuaded some of them would have perished without this advance; I, therefore, thought it one of those cases where citizens, being under unexpected calamity, have a right to call for the patronage of the public servants. All the disinterested testimony I have ever been able to get, has been in favor of the innocence of these men. Count de Vergennes, however, believed them guilty; and I was assured, the depositions regularly taken, were much against them. I enclose, herewith, the state of their case, as it appeared to me in the beginning, and as I communicated it by letter to the Minister.

Having been lately desired by the Swedish Ambassador, to state to him, what I thought the best measure for rendering the Island of St. Bartholomew useful to the commerce of Sweden and the United States, I did it in a letter, of which I enclose a copy; my view in doing it is, that, if any further or better measure should occur to Congress, on its being communicated to me, I can still suggest it to the Ambassador, probably before any final decision. It being material that the reduction of the duties on whale oil, which would expire with the close of this year, should be revived in time for the whale men to take measures in consequence; we have applied for a continuance of the reduction, and even for an abolition of all duties. The committee, the creation of which I informed you in my letter of May 27th, and of which the Marquis de la Fayette is a member, were in favor of the abolition; but there is little prospect, perhaps none at all, of obtaining a confirmation of their sentence. I have no doubt of the continuance of the abatement of the duties, on the footing stated in that letter, the term of three

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years will probably be adopted. The Gazettes of Leyden and of France, from the former to the present date, accompany this.

I have the honor to be, &c.

TH: JEFFERSON.

FROM THOMAS BARCLAY TO MESSRS. ADAMS AND JEFFERSON.

Cadiz, May 23, 1786.

Gentlemen,

Since my arrival here, the ninth, nothing has occurred worth your attention, I am waiting for a vessel that is bound to Mogadore, and expect to sail in a few days. You have probably as late accounts from Mr. Lamb as I can give you, yet it may not be improper to inform you of his arrival at Alicant, the 24th of last month, where doubtless his quarantine has delayed his proceeding to Madrid. The enclosed is a copy of a letter from the Count d'Espilly to Mr. Carmichael, dated at Algiers the 20th past. Whether it will convey any thing new or not, I cannot say, nor whether Mr. Carmichael may not already have transmitted to you its contents.

I hope to have the pleasure of soon hearing from you, and of being informed whether you have any commands for me further than Morocco. I have long been anxious to see the trade of our country to these parts, put on a safe and respectable footing, as I am well acquainted with the importance of the object, and if I can, while I am in the neighborhood of Africa, in the smallest degree contribute towards the doing it, no care or attention on

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my part shall be wanting. If my going to Constantinople will be thought by you useful, you have only to command me, and I offer you my services there, or any where else, without limitations. As soon as I have executed the business in which I am engaged, I intend to return to America for a few months, having already procured permission from Congress to go there to settle some of my affairs, that require my presence. I send you herewith enclosed an extract of a letter, written from Morocco to the Consul of the Emperor of Germany at this place, from whom I received it, but it is the only intelligence here of the Emperor of Morocco having made such a declaration, and probably is no more than a sudden gust of passion, which has blown over with the circumstance that occasioned it. It is however certain, that the British are not at present a favored people in Morocco, and that a letter from his Catholic Majesty is likely to have greater weight in that country, than one from any other potentate on earth. I have had some conversation with the Marquis de Vialli, who is well known to the Emperor of Morocco, and who says he has frequently talked with him, on the subject of America. His opinion is that the Emperor will demand a tribute of 18,000 dollars per annum. This gentleman, to whom I was made known by Gen. O'Reily, the late Governor of Andelusia and Cadiz, has given me a good deal of useful information and advice; but to what purposes I shall be able to apply either remains to be tried. Indeed I much fear the Emperor's ideas will exceed those of my constituents. Immediately on my arrival here I wrote to him, that I would embark for Mogadore, as soon as possible, which I did to cut short any delays, that might occur

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there, by waiting his permission to go to Morocco, where he is at present, and I expect by the time I get to Mogadore, orders will be lodged for my getting forward. I beg you will believe me, gentlemen, &c.

THOS. BARCLAY.

FROM JOHN LAMB TO THOMAS JEFFERSON.

Madrid, May 20, 1786.

After my little disappointments, I arrived at Algiers the 25th March, and within the term of three or four days, I found that the whole amount of the money in my hands, belonging to the public, would not purchase the unfortunate captives; in consequence of which, I despatched Mr. Randall, so that your Excellencies might have the earliest notice of our matters in that quarter. In a short letter to your Excellencies, I stated our affairs. Accordingly, Mr. Randall sailed the 29th or 30th March, with my desire to him to proceed with all possible despatch, to give the earliest notice that was in my power; but when I came here, I found Mr. Randall was in Aranjuez. I received a line from him at nine the next evening, in consequence of which I wrote him, and desired him to proceed; he answered my letter, the three letters I herein enclose, so that your Excellencies will naturally excuse me for the detention.

On the 3rd day of April, I was admitted to an audience with the Dey, but he would not speak of peace, set the slaves at most exorbitant prices, far beyond my limits. The 7th I had a second interview, but still he was of the same mind. About the 17th, I had the third and last in-

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terview, he fell something of his first price, and I here enclose the last price, which is enormous, as your Excellencies will see. My next views were to have an acquaintance with their principal Minister, which I soon brought to pass, by some presents to this Minister's confidant, and he was our interpreter. He told me that it was his greatest desire, that our peace might be made with their Regency, and that, for his part, he would use his utmost endeavors for the purpose; but until the affairs of Spain were settled, little could be done on our matter; and further told me, not to mind the little put offs by the Dey, nor the enormous price asked for our slaves; that the price that was set on our people was only to put a more modest face on the price which they intend to make the Spaniards pay for their people, and advised me to go to Spain and wait until they had done with Spain, and that I might rest assured that he would, at all opportunities, write to me. I begged him to write to Mr. Carmichael, he did; I begged him to give me a free pass to come to Algiers and go when I pleased, he likewise did, but told me that if the letter was exposed that he had written Mr. Carmichael, he should lose his life, and when I returned that I might expect the same. I had several interviews with this Minister, and the above is the purport and substance, excepting that they had an entire right to make peace or war, without the voice of the Grand Seignior, and that they were under no control by the Ottoman Porte. He told me, that it would not be long, after my arrival in Spain, before he should let me know what steps it would be best to take, and when for me to return if I was ordered back. and as I found it was of no consequence to tarry longer than until I had further orders, I took his advice and return-

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ed. There is no doubt but I shall hear from him soon. After waiting in Spain a long time for the influence of that Court, I was obliged to leave Madrid without success, for I got no letter, although Mr. Carmichael *took* the utmost pains. About four or five days before I left Algiers, I received two letters from Mr. Carmichael, enclosed in one of those was an open letter from the Court of Spain, in favor of our mission to that Regency, and directed to Count d'Espilly. But previous to the reception of the letter, he told me if such a letter came to him he could not make any use of it, neither did he. The reason he best knows, but this is sure, that he cares very little about our peace in that quarter. The letter I carried from France was of no consequence. If your Excellency could procure a letter from the Court of France, and directed to the Dey, with their desires to him for a peace with the United States of America, it would give great weight; but such a letter, I dare say, would be hard to be procured. The treatment I received from the French Consul was polite; indeed he paid me great attention. Mr. Logie, likewise, received me as an old friend, and declared to me, that he had no orders to counteract my mission, from his Court, which I am sure of. I left the packet in the hands of Count d'Espilly, who hath employed her for Spain, until I call for her, and have the Count's receipt for the vessel. I thought proper to leave my own stores which I carried over, in Algiers, and left them with Mr. Wolf, who is a very honest good gentleman, and I believe a friend to our cause in that quarter; *and by the desire of Count d'Espilly*, have left the care of our unfortunate people likewise in his hands, together with four hundred dollars to pay their

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past expenses, and buy them such things as will make them comfortable, which money I am sure will be frugally expended. I shall wait your Excellency's further orders at Alicant, hoping that my conduct may be approved of, and am with due respect, your Excellency's

Most obedient humble servant,

JOHN LAMB.

N. B. The plague is within the limits of the regency of Algiers, in consequence of which, it will make very long quarantines in Spain. The vessel that I have bought for the conveniency of our business, I believe will be ordered to Mahon, to perform quarantine. To purchase this vessel was unavoidable, as I could not get to Algiers well without.

I here give your Excellency an account of the prices of our unfortunate people, and it is as follows, viz:

3 Captains,	at $6,000	each	per head -	$18,000
2 Mates,	" 4,000		do -	8,000
2 Passengers	" 4,000		do -	8,000
14 Sailors	" 1,400		do -	19,600
21 amounts to the enormous sum of			-	53,600
11 per cent. to be added, according to custom				5,896
In Spanish milled dollars				$59,496

So that your Excellencies see how far beyond your expectations the sum amounts, which renders me incapable of acting, until further orders. The price the Spaniards are giving for their people is —— short of what is charged us, and they have eleven hundred men, and some upwards, in Algiers; it will cost Spain more than

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a million and an half of dollars for their slaves only; the peace of Spain and their slaves will amount to more than three millions of dollars. I have only to add, that their cruisers will, in all probability, be at sea by the 6th of June at farthest. I am of opinion, that, if we follow our pretension for peace this summer, that they will hear proposals, but not at the price we expected; nor by the open way we first went to work. If France will give nothing but sealed letters, we had better have none. To fight these people, the first year will cost us more than half a million pounds sterling. I have, by experience of a long date, a perfect knowledge of the cost of armed vessels, and at the distance we are from these people, and foreign ports to make use of, it will be a heavy tax upon us, and without the least prospect of gain. I hope I shall be excused in speaking my mind so freely, it is out of zealous desires for the good of the country I belong to, and it is my opinion, that for a less sum than the first year would cost us to fight, we can make peace, and if we intend it at all, now is the only time to pursue, as the way is seemingly open for a trial.

I hope no more of our people will be so unhappy as to fall into those people's hands this summer, and in that case, it will in a manner discourage them in their expectations. Spain is our sure friend in our peace with Algiers; but they have not finished their peace at present. We shall have their assistance at the conclusion of their peace.

With due respect, &c.

J. LAMB.

I have no objections to there being a trial made at

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Constantinople, but it will be of no consequence as to peace with Algiers, as the Count mentions in his letter, his views are, to have Mr. Wolf appointed in our peace with Algiers, and Mr. Wolf is a very good man ; but it is well to take time, before large power is given to strangers. The Count kept me as much in the dark as he could, on all accounts. My advice is, if we should arm against these people, to unite ourselves with those nations, that are not at peace with Algiers, and that will lessen our expense much on the occasion.

1ST. COMMERCE.

Articles of importation from Marseilles and Leghorn, the chief ports with which Algiers carries on its commerce, are bar iron, steel, German linens, and Dutch linens of all kinds, English and French cloth, long ells, spices, copperas, coffee, sugar, gold and silver brocades, wrought silk, deals, hardware, a small quantity of fish, with different other articles from that quarter, and all those articles pay 5 per cent duty at Algiers. Every kind of warlike stores are free of duty, and naval stores likewise, and are generally received as presents, from those northern nations, who are at peace with them, the trade carried on from Algiers, is to Smyrna, Alexandria, and different ports, of the Levant, is chiefly by the Moorish and Jewish merchants, and by their own people, and it consists in raw silks, linens, muslins, cotton, burdetts, and gums, and are transported to Europe, in bottoms without distinction, not having any trading vessels, of their own, there is not one merchant ship belonging to

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the Regency of Algiers. Exports are wheat, barley, beans, indian corn, wool, hides, bees-wax in considerable quantities ; the chief and only manufacture is silk sashes, plain and embroidered, with a species of red and white blanketing, which they ship to the Levant.

2ND. PORTS.

Bona, Bagia, Algiers and Arzew, and are very exactly described in the French charts. Algiers is well fortified with upwards of one thousand brass cannon from 36 to 24 pound shot, and many of their works bomb proof.

3RD. NAVAL FORCE.

Their present naval force consists of nine Xebecks and ten row gallies from 36 to 8 guns, the largest is manned with about 400 men and so in proportion. They mostly depend on their success by boarding of vessels, a more particular account is sent.

4TH. PRISONERS.

Prisoners, or rather slaves are for the most part treated with rigor, hard work and poor nourishment. They are frequently redeemed either by their friends or public charity, but often times at exorbitant prices. Their treaties are sometimes broke but not often. Hired troops or those who receive pay are about twenty thousand. On occasion they can bring two hundred thousand into the field, and are an undisciplined wild rabble. Indeed the best troops they have are about ten thousand Turks, and are stationed in different parts of the kingdom. There is no making a proper estimate of their revenues, but however they are very considerable, their public revenues are estimated at more than ten millions pound sterling in specie, &c.

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5TH. LANGUAGE.

Is Turkish, Arabic, Lingua Franca, Italian. Lingua Franca is a corruption of Turkish, Italian and Spanish much spoken at Algiers at this time.

6TH. & 7TH. GOVERNMENT, RELIGION.

Little subordination is paid to the Ottoman Porte, they however acknowledge the Grand Seignior to be the spiritual head of their religion, and that is Mahometanism, by the same species of fanatacism the Christian religion, they hold in the utmost contempt.

CAPTURES.

Two ships from the United States of America, with 21 persons on board, officers included. Of the different nations, slaves about fifteen hundred. They are at war with all nations, except France, England, Denmark, Holland, Spain, Sweden, Venice, and the Emperor of Germany.

Translation.

Mr. Houdon asks for the executing an equestrian statue in bronze of General Washington, having the privilege of the work shops in the city containing the furnaces proper for this casting, and the dwelling house thereto annexed, the sum of 600,000*liv.* and ten years dating from this time to perform the work. Supposing that the agreement will be signed by the two parties in the course of this year. This price being agreed to, the payments shall he divided as may best suit Congress, re-

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presenting however, that during the first years a variety of disbursements must occur.

He conceives that he ought to prevail on the Senate to allow this work to be cast in two parts, that is to say, the General and the horse separately, this will by no means injure the unity of the work, but will rather on reflection be advantageous to every part, the casting, execution, solidity and convenience for transportation. He insists on this point from the experience, which he and his *workmen* have endeavored to acquire to render themselves capable. He does not know at present of a founder existing, on whom he can rely, so well as on those whom, he has himself prepared at a great expense during fifteen years, that he has been in possession of the furnaces, in which the equestrian statue of Louis XV, King of France, was cast. The persons who were employed in that business are now dead.

Translation.

Description of the cost of several Bronze Statues and the names of the artists who executed them.

Mr. Talconet was invited to Russia to make the Equestrian Statue of Peter the Great at Petersburg, in bronze, on the following conditions: to have the expenses of boarding and lodging defrayed until his work should be entirely finished, that if, by means of sickness or any other accident, the time and work should be prolonged beyond eight years, Mr. Talconet fully relies on the equity of her Imperial Majesty, to make allowances for his expenses and lodging for said time, as he cannot

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guard against unforeseen accidents. He moreover received 25,000*liv.* per annum, from the Empress, his journey from Paris to Petersburg, and his return to this city, paid. That he would only receive orders, either from her Imperial Majesty directly, or through her Minister. Prince Gallitzin, Minister of Russia, had offered him, on the part of his Court, 400,000*liv.* he would only accept, however, 200,000*liv.* Mr. Pajou asked 600,000 *liv.* Mr. Coustou, 450,000*liv.* Mr. Vassée, 400,000*liv.* the founder was to receive 140,000*liv.* immediately after the casting, which, if it did not succeed, he was to have 10,000*liv.* per annum to begin it again. The expenses of the workshops to be at the cost of the Court. The Equestrian Statue in Bronze, of Frederick V, at Copenhagen, was made by Mr. Sally, he received for the model and the pains he bestowed on this piece, 600,000*liv.* It is true, that this Bronze Statue, cast by Goor, contained upwards of 3,000 pieces, large and small, a pension of 5,000*liv.* during life, was given to Mr. Sally, and which he drew two years after his arrival at Copenhagen. He, moreover, had a pension of 9,000*liv.* 4,500*liv.* of which were paid till he finished his work, and 4,500*liv.* paid by the King until his death, and a further gratification of 36,000*liv.* The founder was paid for the expenses of his two journies, 40,000*liv.*, 12,000 *liv.* per annum, and 2,000*liv.* income after the casting; he remained about four years at Copenhagen, and returned home with about 200,000*liv.* He asked, for going to Petersburg, to cast the Statue of Peter the Great, 480,000*liv.* In short, for workmen's wages, and every thing depending thereon, for the space of eighteen or nineteen years, which were employed in this

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work, it cost the India Company 2,200,000*liv.* to which it is said, the King added 600,000*liv.* which makes in all near 3,000,000*liv.* Mr. Bouchardon, who began the Equestrian Statue, in Bronze, of Louis XIII, King of France, which is at Paris, enjoyed during fifteen years, that is to say, until his death, which surprized him in the middle of his work, a pension of 15,000*liv.* per annum.

FROM JOHN MEHEGAN TO THOMAS JEFFERSON.

Excellent Sir,

As I have seen the distress of your unfortunate countrymen, I implore you will use your utmost endeavors to extricate them from this unhappy affair. They are now in real want, having only three poor sols per day each man to live on, which will scarce keep life, in the cold prison they are confined in. The people in whom they confided, having got all the money they had, three poor guineas excepted, and which they expect the lawyers at Brest will demand, as they sent for ten guineas to carry on the suit; but the poor men have not such a sum. And if they do not send money, they will be deserted, and they will lose their liberty and property, and their unfortunate families will be ruined and suffer for a crime they are innocent of, without your protection and assistance.

The officers, and every one who saw the condition they were in when they came in here, own they must either perish at sea for want of provisions and repairs, or come into this place; all their provisions being so near out, as not to have lasted two days at most, and the officers have

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not the least circumstantial proof against them, only pure suspicions.

The officers have confined them the same as criminals, and give only the allowance destined for criminals. The people who came to get what they could from them, now they are in distress, have entirely abandoned them. I then entreat your Excellency to use your endeavors to relieve and favor those objects of compassion, who, in a strange land, are not able to redress their grievances. Exert then your influence in favor of your distressed, I dare say innocent, countrymen; their troubles are so great, that I fear they will not be able to bear them. Should Commodore John Paul Jones be at Versailles, I entreat you to present him my respects. You will pardon the liberty I take.

I am, &c.

JOHN MEHEGAN.

Paris, November 14, 1785.

Sir,

I take the liberty of troubling your Excellency on behalf of six citizens of the United States, who have been for sometime confined in the prisons of St. Pol de Leon, and of referring for particulars to the enclosed state of their case. Some of the material facts therein mentioned, are founded on the bill of sale for the vessel, her clearance from Baltimore, and her log book. The originals of the two last, and a copy of the first are in my hands. I have also letters from a merchant in Liverpool to Asquith, which render it very probable that his vessel

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was bound to Liverpool. The other circumstances depend on their affirmation, but I must say that in these facts they have been uniform and steady. I have thus long avoided troubling your Excellency with this case, in hopes it would receive its decision in the ordinary course of law, and I relied that that would indemnify the sufferers, if they had been used unjustly. But though they have been in close confinement now near three months, it has yet no appearance of approaching to decision. In the meantime, the cold of the winter is coming on, and to men in their situation, may produce events which would render all indemnification too late. I must, therefore, pray the assistance of your Excellency, for the liberation of their persons, if the established order of things may possibly admit of it. As to their property and their personal sufferings hitherto, I have full confidence that the laws have provided for their discussion, some tribunal where justice will be done them. I enclose the opinion of an advocate, forwarded to me by a gentleman whom I had desired to obtain, from some judicious person of that faculty, a state of their case. This may, perhaps, give a better idea than I can of the situation of their cause. His inquiries have led him to believe they are innocent men; but that they must lose their vessel under the edict which forbids those under thirty tons to approach the coast. Admitting their innocence as he does, I should suppose them not the objects, on whom such edict was meant to operate. The essential papers which he says they redemanded from him and did not return, were sent to me at my desire.

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The case of Lister Asquith, owner of the schooner William and Catharine, William M'Neil, captain, William Thomson, William Neilly, Robert Anderson, mariners, and William Fowler, passenger.

Lister Asquith, a citizen of the State of Maryland, having a lawsuit depending in England, which required his presence, as involving in its issue, nearly his whole fortune, determined to go thither in a small schooner of his own, that he might, at the same time, take with him an adventure of tobacco and flour to Liverpool, where he had commercial connexions. This schooner he purchased as of fifty nine and a half tons, as appears by his bill of sale, but she had been registered by her owner at twenty-one tons, in order to evade the double duties in England, to which American vessels are now subject. He cleared out from Baltimore for Liverpool, the 11th of June, 1785, with eight hogsheads of tobacco, and sixty barrels of flour, but run aground at Smith's point, sprung a leak, and was obliged to return to Baltimore to refit; having stopped his leak, he took his cargo on board again, and his health being infirm, he engaged Captain William M'Neil* to go with him, and on the 20th June, sailed for Norfolk, in Virginia, and on the 22nd, came too in Hampton roads, at the mouth of the

* This was the officer, who, on the evacuation of Fort Mifflin, after the British had passed the Chevaux de Frize in the Delaware, was left with fifteen men to destroy the works, which he did, and brought off his men successfully. He had, before that, been commander of the Rattlesnake, sloop of war, and had much annoyed the British trade. Being bred a seaman, he had returned to that vocation.

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river, on which Norfolk is. Learning here that tobacco would be better than flour for the English market, he landed fifty barrels of his flour, and one hogshead of tobacco, which he found to be bad, meaning to take instead thereof, nine hogsheads of tobacco more. But the same night it began to blow very hard, with much rain. The 23rd, the storm became more heavy, they let go both their anchors, but were driven, notwithstanding, from their anchorage, forced to put to sea, and go before the wind. The occurrences of their voyage will be best detailed, by short extracts from their logbook.

June 24th. The weather becomes worse, one of the foreshrouds and the foremast carried away.

June 25th. Shifted their ballast, which threw them on their beam ends, and shipped a very heavy sea.

Held a consultation, the result of which was, that seeing they were now driven so far to sea, and the weather continuing still very bad, it was better to steer for Liverpool, their port of destination, though they had not their cargo on board, and no other clearance but that which they took from Baltimore.

June 29th. The first observation they had been able to take, N. Lat. 38° 13′.

June 30th. Winds begin to be light, but the sea still very heavy.

July 5th. Light winds and a smooth sea for the first time, in Lat. 43° 52.

July 9th. Spoke a French brig, Comte d'Artois, Captain Pierre Monreaux, from St Maloes, in distress for provisions, relieved her with three barrels of flour.

August 6th. Thick weather and a strong wind, made the Land's End of England.

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August 7th. Unable to fetch the land, therefore bore off for Scilly, and came too with both anchors, drove notwithstanding, and obliged to get up the anchors and put to sea, running southwardly.

August 8th. Made the land of France, but did not know what part.

Here the log book ends; at this time they had on board but 10 gallons of water, 4 or 5 pounds of bread, 2 or 3 pounds of candles, no firewood, their sails unfit to be trusted to any longer, and all their materials for mending them exhausted by the constant repairs, which the violence of the weather had called for. They therefore took a pilot aboard, who carried them into Port du Val, but being informed by the captain of a vessel there; that the schooner was too sharp built (as the American vessels mostly were) to lie in that port, he put out immediately, and the next morning the pilot brought him to anchor in the port of the Isle de Bas. He went immediately to Roscoff, and protested at the Admiralty the true state of his case, and reported his vessel, and cargo to the custom house. In making the report of his vessel, stated her as 21 tons. The officer informed him that if she was no larger, she would be confiscated by an edict, which forbid all vessels under 30 tons to approach the coast; he told the officer what was the real truth as to his register and his bill of sale, and was permitted to report her according to the latter. He paid the usual fees of 10*liv.* 7*s.* and obtained a clearance. Notwithstanding this, he was soon visited by other persons, whom, he supposes, to have been *Commis* of the *Fermes* who seized his vessel, carried her to the pier, and confined the crew to the vessel and half the pier, putting sentinels over them. They

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brought a gauger who measured her hold and part of her steerage; allowing nothing for the cockpit, cabin, forecastle, and above one-half the steerage, which is almost half the vessel, and thus made her contents (if that had been of any importance) much below the truth. The tobacco was weighed and found to be 6,487lbs.* which was sent on the 18th to Landivisiau, and on the 19th, they were committed to close prison, at St. Pol de Leon, where they have been confined ever since. They had when they first landed, some money, of which they were soon disembarrassed, by different persons, who in various forms undertook to serve them. Unable to speak or understand a word of the language of the country, friendless and left without money, they have languished three months in a loathsome jail, without any other sustenance, a great part of the time, than what could be procured for three sols a day, which have been furnished them to prevent their perishing. They have been made to understand that a criminal process is going on against them under two heads. 1st. As having sold tobacco in contraband, and 2nd. as having entered a port of France in a vessel of less than 30 tons burthen. In support of the first charge, they understand that the circumstance is relied on, of their having been seen off the coast by the *Employés des Fermes* one or two days.

*A hogshead of tobacco weighs generally about 1,000 lbs. English, equal to 917 lbs. French, the 7 hogsheads he sailed with would therefore weigh according to this estimate 6,423 lbs. They actually weighed more on the first essay. When afterwards weighed at Landivisiau, they had lost 84 lbs. from being carried into a drier air. Perhaps too a difference of weights may have entered into this apparent loss.

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They acknowledge they may have been so seen while beating off Pont Duval, till they could get a pilot, while entering the port, and again going round from thence, to the road of the Isle de Bas. The reasons for this have been explained, they further add that all the time they were at Pont Duval, they had a King's officer on board from whom, as well as from their pilot and the captain, by whose advice they left that port for the road of the Isle de Bas, information can be obtained by their accusers (who are not imprisoned) of the true motives for that measure. It is said to be urged also, that there was found in their vessel some loose tobacco in a blanket, which excites a suspicion, that they had been selling tobacco. When they were stowing their lading they broke a hogshead as is always necessary, and is always done, to fill up the stowage, and to consolidate and keep the whole mass firm and in place. The loose tobacco which had come out of the broken hogshead, they repacked in bags; but in the course of the distresses of their disastrous voyage, they had employed these bags, as they had done every thing else of the same nature, in mending their sails. The condition of their sails when they came into port, will prove this, and they were seen by witnesses enough to whom their accusers, being at liberty, can have access. Besides, the sale of a part of their tobacco is a fact which, had it taken place, might have been proved. But they deny that it has been proved, or even can be proved by true men, because it never existed. And they hope the justice of this country does not permit strangers, seeking in their ports an asylum from death, to be thrown into jail and continued there indefinitely, on the possibility of a fact, without any proof; more especially when,

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as in the present case, a demonstration to the contrary is furnished by their clearance, which shews they never had more than eight hogsheads of tobacco on board, of which one had been put a shore at Hampton in Virginia, as has been before related, and the seven others remained when they first entered port. If they had been smugglers of tobacco, the opposite coast offered a much fairer field, because the gain there is so great, because they understand the language and laws of the country, they know its harbors and coasts, and have connexions in them. These circumstances are so important to smugglers, that they do not expect an instance has ever occurred, of the contraband of tobacco attempted on this side the channel, by a crew wholly American. Be this as it may, they are not of that description of men.

As to the second charge, that they may have entered a port of France in a vessel of less than thirty tons burthen, they, in the first place observe, that they saw the gauger measure the vessel and affirm, that this method of measuring could render little more than half her true contents, but they say further, that were she below the size of thirty tons, and when entering the port had they known of the alternative of either forfeiting their vessel and cargo, or of perishing at sea, they must still have entered the port, the loss of their vessel and cargo being the lesser evil. But the character of the lawgiver assures them, that the intention of his laws is perverted, when misapplied to persons, who, under their circumstances, take refuge in his ports. They have no occasion to recur from his clemency to his justice, by claiming the benefit of that article in the treaty, which binds the two nations together, and which assures, to the fugitives of either,

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from the dangers of the sea, a hospitable reception, and without measuring the size of their vessel.

Upon the whole, they protest themselves to be as innocent, as they have been unfortunate. Instead of relief in a friendly port, they have seen their misfortunes aggravated by the conduct of officers, who, in their greediness for gain, can see in no circumstance any thing but proofs of guilt. They have already long suffered, and are still suffering, whatever scanty sustenance, an inclement season, and close confinement can offer most distressing to men, who have been used to neither, and who have wives and children at home participating of their distresses. They are utterly ignorant of the laws and language of the country where they are suffering; they are deprived of that property which would enable them to procure counsel to place their injuries in a true light; they are distant from the stations of those, who are appointed by their country to patronize their rights; they are not at liberty to go to them, nor able to have communication through any other than the uncertain medium of the posts; and they see themselves already ruined by the losses and delays they have been made to incur, and by the failure of the original object of their voyage.

They throw themselves, therefore, on the patronage of the Government, and pray that its energy may be interposed in aid of their poverty and ignorance, to restore them to their liberty, and to extend to them that retribution which the laws of every country mean to extend to those who suffer unjustly.

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ACCOUNT *of disbursements and money paid by John Diot & Co. merchants in Morlaix, to Mr. Lister Asquith and his crew, since the beginning of their detainment in the prison of St. Pol de Leon to this day, in consequence of his Excellency Thomas Jefferson's desire to Messrs. Borgnois des Bordes freres, merchants in Brest, said detainment proceeding from the seizure and condemnation by the Farmers General, of the schooner called William and Catharine, the 9th August,* 1785, *in the harbor of Roscoff, viz:*

June 9th, 1786.

To cash paid Mr. Lister Asquith for his own and his crew's maintenance in St Pol. jail, from the 22nd October, 1785, till 15th of this present month of June, included, being two hundred and thirty-seven days, at twenty sous per day per annum, or six livres per day for the six men. - - - - -		1422 00 0
To cash paid to the attorney in St. Pol, for signifying the appeal from the first judgment of the custom house in Brest,		14 12 9
To sundry postages to Morlaix, and messages sent from Morlaix to St. Pol, forward and backward, - - - - - - -		18 10 0
To cash paid Mr. Glean, attorney in Brest, for notification of the appeal of the sentence issued in Brest, and signification of same to the custom house attorney, and to the *entreposeur* in Landivisiau, - - - - -		13 15 0
To sundry postages paid by Messrs. des Bordes, in Brest, &c. - - - -	18 14 0	
Postage of Mr. Jefferson's last message,	30 10 0	49 4 0
To cash paid Mr. Gewy, interpreter in Brest, for his trouble and actings, - - -		12 00 0
To cash paid Mr. Derm, *intreposeur* in Landi-		

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visiau, acting for, &c. in behalf of the Farmers General, in consequence of the agreement passed and settled betwixt him and Mr. Lister Asquith, in the prison of St. Pol, the 3rd of this present month of June, for the following causes, viz :						
The charges of process, verbal seizure of 19th August, - - - - - - - - -			19	16	6	
For the cost and law suit at the custom house office in Brest, - - - - - -			82	17	1	
For jail fees paid by the custom house, for Mr. Asquith and his crew, during ten months, at fifty-four livres per month,		540	00	0		
For cost, reporting and comptrolling of the aforesaid action of the 3rd June, - -		37	5	0	679	18 7
To cash paid Mr. Asquith and his crew, the 22d March, in consequence of Messrs: des Bordes's letter, 13th said month, for buying clothes for to cover them in jail, as per receipt, twelve livres to each man, being - - - - - - - - -					72	00 0
To cash paid Mr. Lister Asquith and crew, for their travelling expenses going home, according to Mr. Jefferson's order, 22nd May, one guinea per man, as per receipt,					144	00 0
					2426	00 4
To interest of said sum, from 22nd October to this day, valued at 3 per cent, livre, -		72	15	8		
To commission and trouble of said John Diot & Co. writings, translations and other doings in this affair, - - - -		121	6	0	194	1 8
					2620	2 0

Amounting, the within account of our disbursements, and money paid to and for Mr. Lister Asquith and his crew, to two thousand, six hundred and twenty livres

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and two sous, as per particulars in the said account, which we certify to be true and sincere.

JOHN DIOT & Co.

St. Pol de Leon, June 9, 1786.

I, underwritten, do hereby acknowledge and certify, that the sums mentioned in the above account, amounting to two thousand, six hundred and twenty livres, two sous, have effectually and truly been paid to and for me, as mentioned in the above said account, by Messrs. John Doit & Co. by the orders of his Excellency, Thomas Jefferson, Esq. to Messrs. Borgnois des Bordesfreres, merchants in Brest, to whom said sum is lawfully due.

LISTER ASQUITH.

St. Pol de Leon, June 9, 1786.

FROM THOMAS JEFFERSON TO BARON DE STAEL.

Paris, June 12, 1786.

Sir,

In compliance with your Excellency's desire, I will throw on paper such considerations as occur to me on the question, "How may the Island of St. Bartholomew be rendered instrumental for promoting commerce between Sweden and the United States?" They will be rapid, undigested, and incomplete; but a desire of contributing to bind the two countries together in interest, and a respect for your commands, will induce me to hazard them. I shall make the interest of Sweden the basis of my theory, because we have no right to expect her to depart from them in order to promote ours.

Ancient nations considered colonies principally as re-

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ceptacles for a too numerous population, and as natural and useful allies in times of war. But modern nations viewing commerce as an object of first importance, value colonies chiefly as instruments for the increase of that. This is principally effected by their taking commodities from the mother State, whether raised within herself or obtained elsewhere, in the course of her trade, and furnishing, in return, colonial productions necessary for her consumption, or for her commerce of exchange, with other nations. In this way the colonies of Spain, Portugal, France and England, have been chiefly subservient to the advantages of their mother country. In this way too, in a smaller degree, has Denmark derived utility from her American colonies; and so, also, Holland, except as to the Island of St. Eustatius; this is by nature a rock, barren and unproductive in itself; but its owners became sensible, that what nature had denied it, policy could more than supply. It was conveniently situated for carrying on contraband trade with both the continents, and with the Islands of America. They made it, therefore, an *entrepôt* for all nations. Hither are brought the productions of every other part of America, and the Dutch give in exchange such articles, as in the course of their commerce they can most advantageously gather up; and it is a question on which they will not enable us to decide, whether by furnishing American productions to the commerce of Holland, and by finding vent for such productions of the old world, as the Dutch merchants obtain to advantage, the barren rock of St. Eustatius does not give more activity to their commerce, and leave with them greater profits, than their more fertile possessions on the continent of South America. The Danes, finding that

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their Islands were capable of yielding but moderate advantages, by their native productions, have also laid them open to foreign commerce, in order to draw through them articles, which they do not produce in themselves, or not in great quantities. But these nations, only half emancipated, from the fetters of commercial prejudices, have taken only half a step, towards placing these institutions on their best footing. Both the Dutch and Danish free ports are under restrictions, which discourage very much the operations of exchange in them.

The Island of St. Bartholomew, lately ceded to Sweden, is, if I am rightly informed, capable of furnishing little of its own productions to that country. It remains then, to make it the instrument for obtaining, through its intermediation, such American productions as Sweden can consume, or dispose of; and for finding, in return, a vent for the native productions of Sweden. Let us suppose it then made a free port, without a single restriction. These consequences will follow. 1st. It will draw to itself that tide of commerce, which at present sets towards the Dutch and Danish Islands, because vessels going to these are often obliged to negotiate a part of their cargoes at St. Eustatius, and to go to St. Thomas to negotiate the residue; whereas, when they shall know that there is a port where all articles are free both for importation and exportation, they will go to that port which enables them to perform, by one voyage, the exchanges which, hitherto, they could only effect by two. 2nd. Every species of American produce, whether of the precious metals or of commodities, which Sweden may want for its own consumption, or as aliment for its commerce with other nations, will be collected, either fairly

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or by contraband, into the magazines of St. Bartholomew. 3rd. All the productions which Sweden can furnish from within itself, or obtain to advantage from other nations, will, in like manner, be deposited in the magazines of St. Bartholomew, and will be carried to the several parts of America, in payment for what shall be taken from them.

If it be objected that this unrestrained licence will give opportunity to the subjects of other nations to carry on exchanges there, in which Sweden will be no ways interested: I say, 1st, that there will be few of these operations, into which the Swedish merchants will not be taken, in the beginning, or in the long run. 2nd. That there will be few of these exchanges, into which productions will not enter, when productions are wanted in return. 3rd. That, suppose neither Swedish merchants nor productions enter into the operation, what objections can Sweden have to other people's meeting in one of her ports, to carry on their commercial exchanges; on the contrary, would not every enlightened nation be glad if all others would come to her, as a common center for commercial operations. If all the merchants who make the exchanges of commerce in Amsterdam, London, Lisbon, Leghorn, &c. would go, by common consent, to perform these operations in Stockholm, would that wise government obstruct such an assembly: If all the exchanges now made in the several ports of the two continents, and of the Islands of America, in Philadelphia, for instance, Charleston, St. Eustatius, Porto Bello, Rio Janeiro, were proposed to be transferred to the Island of St. Bartholomew, would that Island be rendered thereby less able to promote the commerce of the mother country?

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These general observations have anticipated the answer to our question, how may the Island of St Bartholomew be rendered instrumental, to the particular commerce between Sweden and the United States? The United States have much occasion for the productions of Sweden, particularly for its iron; for a part of this they can furnish indigo, rice, tobacco, and so far the exchange may be effected by the merchants of the two countries, in the ports of the United States, or of Sweden. The surplus of their want they cannot take at all, unless Sweden will administer to them the means of paying for it; this she may do, by receiving at St. Bartholomew, whatever productions they will bring. They will, of course, send their flour, salt fish, and other things wanting in the other ports of America, which, by the Swedish merchant at St. Bartholomew, will be run into those ports and exchanged for precious metals, or commerciable commodities; or, the American merchant, taking on himself these operations, will run his flour or salt fish into those ports himself, take cash, or such commerciable articles as suit Sweden, and go with these to St. Bartholomew, to pay for the iron he wants.

The interest of the United States then, is, that St. Bartholomew be made a port of unlimited freedom; and such too is evidently the interest of Sweden. If it be freed by halves, the free ports of other nations, at present in possession of the commerce, will retain it against any new port, offering no superior advantages. The situation of St. Bartholomew is very favorable to these views; as it is among the most windward, and therefore the most accessible of the West Indian Islands. How far they may be seconded by the character of its

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port, the government of Sweden will best know, as they have taken the necessary information on that point.

Unacquainted with the details of commerce, I am able to present only general views of this subject; they are such, however, as experience seems to have proved, they may appear founded on a want of attention to the laws of society, inconsistent with sound morality. But first, let the line be drawn between the just and equal regulations of associated States, and the partial and oppressive rescripts of metropolitan cupidity, and we shall see whether the interloper, or the legislator of Chili and Peru, is on the right side of that line. They will need apology for another cause, where it will be more difficult to be found; that, as they offer nothing but what would have occurred, and in a better form, to yourself, nobody is more sensible of this than myself, and I can expect your indulgence only by praying you to consider them, and not as pretending to any information, which you do not already possess, but as the offerings of that perfect esteem, with which

I have the honor to be, &c.

TH: JEFFERSON.

FROM THOMAS JEFFERSON TO JOHN ADAMS.

Paris, July 11, 1786.

Dear Sir,

Our instructions relative to the Barbary States, having required us to proceed by way of negotiation, to obtain their peace, it became our duty to do this to the best of our power. Whatever might be our private opinions,

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they were to be suppressed, and the line marked out to us was to be followed. It has been so, honestly and zealously. It was, therefore, never material for us to consult together, on the best plan of conduct towards these States. I acknowledge I very early thought it would be best to effect a peace through the medium of war. Though it is a question with which we have nothing to do, yet as you proposed some discussion of it, I shall trouble you with my reasons. Of the four positions laid down in your letter of the 3rd instant, I agree to the three first, which are, in substance, that the good offices of our friends cannot procure us a peace, without paying its price; that they cannot materially lessen that price; and that paying it, we can have peace in spite of the intrigues of our enemies. As to the fourth, that the longer the negotiation is delayed, the larger will be the demand; this will depend on the intermediate captures; if they are many and rich, the price may be raised; if few and poor, it will be lessened. However, if it is decided that we shall buy a peace, I know no reason for delaying the operation, but should rather think it ought to be hastened. But I should prefer the obtaining it by war.

1st. Justice is in favor of this opinion. 2nd. Honor favors it. 3rd. It will procure us respect in Europe; and respect is a safeguard to interest. 4th. It will arm the federal head with the safest of all the instruments of coercion, over its delinquent members, and prevent it from using what would be less safe. I think that so far you go with me. But in the next steps we shall differ. 5th. I think it least expensive. 6th. Equally effectual. I ask a fleet of one hundred and fifty guns, the one-half of which shall be in constant cruise. This fleet, built,

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manned and victualled for six months, will cost four hundred and fifty thousand pounds sterling. Its annual expense will be three hundred pounds sterling a gun, including every thing; this will be forty-five thousand pounds sterling a year. I take British experience for the basis of my calculation, though we know, from our own experience, that we can do in this way, for pounds lawful, what costs them pounds sterling. Were we to charge all this to the Algerine war, it would amount to little more than we must pay if we buy peace. But as it is proper and necessary, that we should establish a small marine force, (even were we to buy a peace from the Algerines) and as that force, laid up in our dock-yards, would cost us half as much annually, as if kept in order for service, we have a right to say that only twenty-two thousand and five hundred pounds sterling, per annum, should be charged to the Algerine war. 6th. It will be as effectual. To all the mismanagements of Spain and Portugal, urged to shew that war against those people is ineffectual, I urge a single fact to prove the contrary, where there is any management. About forty years ago, the Algerines having broken their treaty with France, this Court sent Monsieur de Massiâc, with one large and two small frigates; he blockaded the harbor of Algiers three months, and they subscribed to the terms he proposed. If it be admitted, however, that war, on the fairest prospects, is still exposed to uncertainties, I weigh against this the greater uncertainty of the duration of a peace bought with money, from such a people, from a Dey eighty years old, and by a nation who, on the hypothesis of buying peace, is to have no power on the sea to enforce an observance of it.

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So far, I have gone on the supposition, that the whole weight of this war should rest on us. But, 1. Naples will join us. The character of their naval Minister, (Acton) his known sentiments with respect to the peace, Spain is officiously trying to make for them, and his dispositions against the Algerines, give the best grounds to believe it. 2. Every principle of reason assures us, that Portugal will join us. I state this, as taking for granted, what all seem to believe, that they will not be at peace with Algiers. I suppose, then, that a convention might be formed between Portugal, Naples and the United States, by which the burthen of the war might be quotaed on them, according to their respective wealth; and the term of it should be, when Algiers should subscribe to a peace with all three, on equal terms. This might be left open for other nations to accede to, and many, if not most of the powers of Europe, (except France, England, Holland and Spain, if her peace be made) would sooner or later enter into the confederacy, for the sake of having their peace with the piratical States, guarantied by the whole. I suppose, that in this case, our proportion of force would not be the half of what I first calculated on.

These are the reasons, which have influenced my judgment on this question; I give them to you, to shew you that I am imposed on by a semblance of reason, at least; and not with an expectation of their changing your opinion. You have viewed the subject, I am sure, in all its bearings. You have weighed both questions, with all their circumstances. You make the result different from what I do. The same facts impress us differently. This is enough to make me suspect an error in my process of reasoning, though I am not able to de-

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tect it. It is of no consequence, as I have nothing to say in the decision, and am ready to proceed heartily on any other plan, which may be adopted, if my agency should be thought useful. With respect to the dispositions of the States, I am utterly uninformed, I cannot help thinking, however, that on a view of all the circumstances, they might be united in either of the plans.

Having written this on the receipt of your letter, without knowing of any opportunity of sending it, I know not when it will go. I add nothing, therefore, on any other subject, but assurances of the sincere esteem and respect, with which I am, &c.

TH: JEFFERSON.

FROM JOHN JAY TO THOMAS JEFFERSON.

Office for Foreign Affairs,
October 12, 1786.

Sir,

Since my last to you, of the 18th August, I have received and laid before Congress, the letters you did me the honor to write on the 8th July last.

I have some despatches of importance ready for you, but I prefer sending them by a conveyance that will offer about ten days hence.

I enclose a certified copy of an act of Congress for recalling Mr. Lamb, another copy has been sent to Mr. Adams.

As the despatches above alluded to are particular, I shall, at present, only add an assurance, which I always make with pleasure, viz: that I am, with very sincere esteem and regard, &c.

JOHN JAY.

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FROM JOHN JAY TO THOMAS JEFFERSON.

New York, October 27, 1786.

Dear Sir,

I wrote you a few lines by the last French packet, mentioning the letters I had received from you, and that by another conveyance you would receive particular and important despatches from me.

Those despatches relate to the Consular Convention. They began with a letter from me of the 3rd instant, which, among other matters, enumerates the number of papers annexed to it.

After those despatches were completed, it was accidentally and seasonably discovered, that the entry of the *Scheme* of the Convention in the books of this office was erroneous. As in forming my report, I considered this Scheme as really being what it appeared to be from that entry; correspondent errors naturally took place in the report.

On making that discovery, I wrote a letter to the President of Congress, dated the 9th instant, a copy of which you will find to be the last paper, which forms the packet herewith enclosed. On that letter Congress were pleased to direct me to take order; which is, in other words, saying that they approve of the opinion given in the last paragraph of the letter.

We learn from the Chargé d'Affaires of France, that a treaty is concluded for us with Morocco. We are anxious to be ascertained of the fact, and to receive a copy of it, that positive and accurate information on the subject may be published. It is long since we heard that a treaty with Portugal was likewise concluded, but it has

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not yet arrived, nor are we advised of the reasons which retard its conveyance.

In my opinion, you and Mr. Adams should have commissions to treat with the Emperor and some other powers, but it so happens that more domestic objects divert the attention of Congress in a considerable degree, from their affairs abroad.

The inefficacy of our Government becomes daily more and more apparent. Our credit and our Treasury are in a sad situation, and it is probable, that either the wisdom or passions of the people may produce changes.

A spirit of licentiousness has infected Massachusetts, which appears more formidable than some at first apprehended. Whether similar symptoms will not soon mark a like disease in several other States, is very problematical.

The public papers herewith sent, contain every thing generally known about these matters. A reluctance to taxes, an impatience of Government, a rage for property, and little regard to the means of acquiring it, together with a desire of equality in all things, seem to actuate the mass of those, who are uneasy in their circumstances. To these may be added the influence of ambitious adventurers, and the speculations of many characters who prefer private to public good, and of others who expect to gain more from wrecks made by tempests, than from the produce of patient and honest industry. As the knaves and fools of this world are forever in alliance, it is easy to perceive how much vigor and wisdom a Government, from its construction and administration, should possess, in order to repress the evils which naturally flow from such copious sources of injustice and evil.

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Much, I think, is to be feared from the sentiments, which such a state of things is calculated to infuse into the minds of the rational and well intentioned. In their eyes, the charms of liberty will daily fade, and in seeking for peace and security, they will too naturally turn towards systems, in direct opposition to those, which oppress and disquiet them.

If faction should long bear down law and Government, tyranny may raise its head, or the more sober part of the people may even think of a King.

In short, my dear sir, we are in a very unpleasant situation. Changes are necessary, but what they ought to be, what they will be, and how and when to be produced, are arduous questions. I feel for the cause of liberty, and for the honor of my countrymen who have so nobly asserted it, and who, at present, so abuse its blessings. If it should not take root in this soil, little pains will be taken to cultivate it in any other.

This letter will be carried to London by the Rev. Mr. Provost, who will, with his own hands, deliver it to Mr. Adams, with one from me requesting him to convey it to you by some trusty hand.

I have the honor to be, &c.

JOHN JAY.

P. S. I also enclose copies of three acts of Congress, viz: of 16th, 20th and 21st inst. *

* See Journals of Cougress, pages 712, 714.

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FROM THOMAS JEFFERSON TO JOHN JAY.

Paris, August 11, 1786.

Sir,

Since the date of my last, which was July 8th, I have been honored with the receipt of yours of June 16th. I am to thank you on the part of the Minister of Geneva, for the intelligence it contained on the subject of Gallatin, whose relations will be relieved by the receipt.

The enclosed intelligence relative to the instructions of the Court of London to Sir Guy Carleton, came to me through the Count de la Touche and Marquis de la Fayette. De la Touche is a director under the Mareschal de Castries, Minister for the Marine Department, and possibly receives this intelligence from him, and he from their Ambassador at London; possibly too, it might be fabricated here, yet, weighing the characters of the Ministers of St. James and Versailles, I think the former more capable of giving such instructions, than the latter of fabricating them, for the small purposes it could answer.

The Gazette of France, of July 28th, announces the arrival of Peyrouse at Brazil, that he was to touch at Otaheite and proceed to California, and still further northwardly. This paper, as you well know, gives out such facts as the Court are willing the world should be possessed of; the presumption is, therefore, that they will make an establishment of some sort, on the north west coast of America.

I trouble you with a copy of a letter from Schweighauser and Dobrée, on a subject, with which I am quite unacquainted. Their letter to Congress, of November

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30th, 1780, gives their state of the matter; how far it may be true and just, can probably be ascertained by Dr. Franklin, Dr. Lee and other gentlemen, now in America. I shall beg leave to be honored with the commands of Congress on this subject. I have inquired into the state of the arms mentioned in this letter to me, the principal articles are, about thirty thousand bayonets, fifty thousand gun locks, thirty cases of arms, twenty-two cases of sabres, and some other things of little consequence. The quay at Nantes having been overflowed by the river Loire, the greatest part of these arms were under water, and are now, as I am informed, a solid mass of rust, not worth the expense of throwing them out of the warehouse, much less that of storage. Were not their want of value a sufficient reason against reclaiming the property of these arms, it rests with Congress to decide, whether other reasons are not opposed to this reclamation. They were the property of a sovereign body, they were seized by an individual, taken cognizance of by a court of justice and refused, or at least not restored by the sovereign, within whose States they had been arrested. These are circumstances which have been mentioned to me; Dr. Franklin, however, will be able to inform Congress with precision, as to what passed on this subject. If the information I have received, be any thing like the truth, the discussion of this matter can only be with the court of Versailles, it would be very delicate, and could have but one of two objects, either to recover the arms, which are not worth receiving, or to satisfy us on the point of honor; Congress will judge how far the latter may be worth pursuing against a particular ally, and under actual circumstances; an instance,

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too, of acquiescence, on our part, under a wrong, rather than disturb our friendship by altercations, may have its value in some future case; however, I shall be ready to do in this, what Congress shall be pleased to direct.

I enclose the despatches relative to the Barbary negotiations, received since my last. It is painful to me to overwhelm Congress and yourself continually, with these voluminous papers, but I have no right to suppress any part of them; and it is one of those cases, when, from a want of well digested information, we must be contented to examine a great deal of rubbish, in order to find a little good matter.

The Gazettes of Leyden and France, to the present date, accompanying this, which, for want of direct safe opportunities, I am obliged to send by an American gentleman, by the way of London; the irregularity of the French packets has diverted elsewhere the tide of passengers who used to furnish me occasions of writing to you, without permitting my letters to go through the post office, so that when the packets go now, I can seldom write by them.

I have the honor to be, &c.

TH: JEFFERSON.

FROM SCHWEIGHAUSER AND DOBREE TO THOMAS JEFFERSON.

Sir,

In hopes of obtaining from you the justice which has been so long denied us, we beg leave to enclose a copy of the letter our late partner and parent Mr. J. D. Schweig-

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hauser, wrote to Congress the 30th November, 1780, which will give you ample information of our claims for our advances for the continental frigate Alliance, to which we join a copy of the resolve which it produced. Mr. Johnson persisted in his refusal of examining our accounts, as no longer Auditor General, and Dr. Franklin refused the payment of them, as not having been examined by this gentleman. We repeatedly solicited that he would name a committee for that purpose, but to elude satisfying us, he would not adopt this measure.

We have since laid these accounts and their vouchers before Thomas Barclay, Esquire, who has seen every one of them, and is perfectly convinced, as was Dr. Franklin himself, of their exactness. Permit us earnestly to request, as an act of justice and friendship, that you would put us in the way of obtaining our payment, and to assure you of our acknowledgment and gratitude. We have still a parcel of arms, &c. on hand, belonging to Congress, which our co-partners in the house of Puchelberg & Co. in L'Orient, have laid an attachment on, to assure them and us our due, or at least part of it; for we know not the value of them, and not being yet authorized to sell them, they are of no utility to us, and we fear that warehouse rent of them, will absorb one day their whole amount, which, without that, will be greatly reduced by the want of having them cleaned, which permission we have so often vainly solicited. If you could give us directions to sell them, it would be securing to the States a value which is now daily diminishing, and will, by further delays, be absolutely eat up.

We submit the whole to your justice, and have the honor to be, &c.

SCHWEIGHAUSER & DOBREE.

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Extract of a letter from William Carmichael.

Madrid July 15, 1786.

"This country has signed its peace with Algiers, but there are still arrangements to be made that require time, patience and address. I send you a letter which I received from thence this moment. As I have not time to copy it, you will please to return it to me. I wish not to derogate from the merit or services of any one, but justice to myself, and still more to the interests and honor of our country, oblige me to say, that our peace with the Barbary States could have been negotiated here with much less expense, with much less noise, and with greater probability of success, than in the mode adopted by Congress. A negotiation with Algiers is not yet to be regarded as desperate. It is a question of calculation. Whenever our Republic will act and think for themselves; they will do what they please until that period; we shall be the partridge and its young ones. We shall never be respected until we respect ourselves. As you may not possibly have heard from Mr. Barclay, since his arrival in Africa, I enclose you copies of a letter which I received from his Excellency the Count de Florida Blanca, with extracts from those received from the agent of Spain in Morocco, and from a Minister of the Emperor, which I entreat you to forward to Congress by the first occasion, as few opportunities from hence offer for the transmission of my despatches. I make no comment on the nature of these letters. I am persuaded you will at once see the good faith and candor, with which the Ministry act on our behalf. This Court will observe the same conduct with respect to the Barbary powers in general, the moment it can effectually interfere.

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Extract of a letter from William Carmichael to Thomas Jefferson.

Madrid, July 15, 1786.

"I have just received the enclosed letters from Mr. Lamb, which I forward by the same courier to whom I entrusted my last, for your Excellency. Mr. Lamb writes me, that his health, not permitting him to journey by land, he has resigned his commission, and means immediately to close his public accounts. The Count d'Espilly and another agent of Spain, employed at Algiers and at Tunis, are now here. The first is much attached to me, and the other I shall cultivate, and through their means to be enabled to obtain intelligence with respect to the situation of affairs on the Barbary coast, and make such insinuations as yourself and Mr. Adams may judge proper for the public interest. Whatever may be the decision of Congress, I think it necessary to induce the Algerines to believe, that the United States are more disposed to be at peace than at war with them. Their Minister of Marine desires peace with us, and appears apprehensive of seeing American cruisers in the Mediterranean. I have ways of cultivating his friendly disposition, and exciting his apprehensions. The Count d'Espilly informed me of a circumstance, that marked strongly the rancor of the British in all parts of the world to us. I omitted mentioning it to you, because I wished to have previously an exact detail of the transaction in writing from the Count himself. He tells me, that after Mr. Lamb's departure from Algiers, the British Consul at Barcelona, Mr. Gregory, advised Mr. Logie, Consul at Algiers, that the Spanish papers procured by

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Mr. Lamb for his vessel, were not regular, that Mr. Lamb had taken with him eighty thousand dollars, &c. and that the Dey might seize the vessel as American property. Mr. Logie immediately communicated this information to the Dey. The vessel having been sent by the Count d'Espilly's desire, to Tunis, on public business, the Dey replied, that he had permitted the American officers to land, that they were gone away, and, as he supposed, had taken their money with them; that the vessel was now under his protection, and concluded, by telling the Consul to mind his own business, and not intermeddle in future, with what did not concern him. This conduct of the British Consul must arise from the Court, for their private characters are good, and they are men of liberal and humane principles. As soon as the treaty is published, I will send you a copy of it. D'Espilly will return in a few weeks to Algiers, to terminate the ransom of the slaves, and to aid the Neopolitan and Portuguese Envoys in their negotiations, the result of which is doubtful. These pirates will have Russia and the Emperor on their hands, as in the last cruise, they have taken a Russian vessel worth eighty thousand dollars, and a Tuscan ship, with forty prisoners. The Russian Minister at this Court, to whom I gave the first information of this capture, tells me that he will write to the Dey as a Pacha of the Turkish Empire, and enclose him a copy of the article of their treaty with the Porte, demanding an immediate restitution of the vessel and people, with damages. He added, that he is sure of the approbation of his sovereign, who will be pleased to see one of her Ministers writing in a haughty stile to a power, that all Europe courts at present. When shall we be in a situation to do this?"

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"I have this moment received a letter for Mr. Lamb, which I suppose to be from you, and shall forward it this night to Alicant."

"P. S. I have jus tremarked your card of the 7th July, which escaped my attention when I wrote the above. The letter enclosed, is from Mrs. Lamb, advising me, that, by her husband's direction, she had drawn on me for five hundred pounds sterling; I forward the letter for his advice, he has left money in my banker's hands here, but of which I never choose to have the disposition."

FROM JOHN LAMB TO THOMAS JEFFERSON.

Alicant, July 15, 1786.

I received your Excellency's letters of the 20th inst. and find by them that Mr. Randall had not then come to Paris. By Mr. Randall I stated the exact situation of our affairs at Algiers, and sent forward a duplicate of the same to Congress. The demands at Algiers, no doubt, will be great. My health will, by no means, admit of undertaking the journey your Excellency points out. I dare say my indisposition will be a sufficient excuse. If it is not, in duty to myself, I have no further pretensions to this business, and beg that my reasonable accounts may be settled. It will take sometime to collect my accounts. I am under bonds at Barcelona, for the money I extracted for the purposes of Algiers. I left the vessel in the Spanish service when I left Algiers, as I wrote, and she now is here under quarantine, and cannot yet be come at. Not doubting

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but I should have gone back, I left many things there, but as soon as may be, I will collect all, and my accounts. When that is done, I hope I shall be settled with in Europe, as that was promised before I left America. My letter of credit will be returned to your Excellency's orders. I have drawn as I have advised. I have letters dated Algiers, the 11th July, 1786; no more of our vessels were then taken. It is highly necessary that some orders should be given on account of our unfortunate people in Algiers. I have presumed to supply them with upwards of eight hundred hard dollars, for their past expenses and clothing.

With due respect, &c.

JOHN LAMB.

FROM JOHN LAMB TO THOMAS JEFFERSON.

Alicant, July 18, 1786.

July 15th I forwarded to your Excellencies, a letter of which this is nearly a duplicate, as my first may not come to hand. I find your Excellency had not received my letters, I wrote by Mr. Randall. In them I gave an exact account of Algiers, as I could collect, whilst I stayed in that place, and likewise how we were situated there, and sent duplicates of the same to Congress, and by safe opportunities, one via Cadiz, under cover to Mr. Gardoqui, directly to New York, and Mr. Randall writes me of the 20th June, Bourdeaux, that he had forwarded the other immediately, to Philadelphia, so that there is not the least doubt of Congress having as full an account of all my proceedings, as if I were present my-

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self, for I can add nothing to the account I have given to your Excellency, neither to Congress, were I present. I have forwarded a copy of all my letters to Congress, since I have been on this business, at the same time I wrote to your Excellency. My indisposition will not permit me to undertake the journey that your Excellency has pointed out, therefore I am under the necessity to beg a settlement of my reasonable accounts, since I have been on this journey, and return the letter of credit to your Excellency's orders. I had announced an acquaintance with one of the principal officers at Algiers, and from him I had great expectations of a settlement with that regency by next season, or at least to have the last price for our unfortunate people, and what they would have for a peace, and to strive for hostile proceedings to cease for one year, so that Congress might have more time to prepare, and supposed that in case I brought to pass the above which I had every encouragement of, it would at least be worth the expenses we have already been at. These were my reasons and these my prospects, and in consequence of the same, I thought best to persevere, and exhibited as soon as I possibly could to Ministers and likewise to Congress. As I well know how far short the appropriation was for the peace, and that nothing could be added to it by gentlemen abroad; it is my opinion that it is out of the power of the United States to force those people to a compliance of a peace, and to have them going on in the manner they do, it is not so well. To buy a peace will no doubt cost a considerable sum; but nations possessing a strong navy have preferred a purchase, &c.

I am sensible that your Excellency has received

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many letters from gentlemen on my mission, and I think they wrote without consideration, as in fact when they wrote they knew nothing of the matter. A letter has been sent to your Excellency from Algiers, or rather forwarded from Madrid. The gentleman who wrote that letter, knew nothing of my business in Algiers, and of course could not write the truth, I find some of the sentences in his letter speaking of my business are entirely false. It is necessary to have some order given on account of our people in Algiers: they were stripped of their clothing and had many necessary debts against them when I came to Algiers. Out of humanity I paid for their clothes, and the rest of their obligations I paid, considering them reasonable, and they amounted with what money I left to upwards of 800 hard dollars, leaving some money with them; now they write me it is almost out, and very soon they will be in a very miserable condition indeed.

I am, with great respect, &c.

JOHN LAMB.

FROM THOMAS JEFFERSON TO JOHN JAY.

Paris, August 13, 1786.

Sir,

The enclosed letter from Mr. Barclay, and one from Mr. Carmichael, of which I send you extracts, are come to hand this morning, which is in time for them to go by the same gentleman who carries my letter of the 11th. I observe what Mr. Carmichael says on the subject of the Portuguese treaty, "I am sorry it meets with difficul-

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ties." I doubt, however, whether he ascribes them to their true cause, when he supposes they are occasioned by M. del Pinto's being of a party opposed to that of their Minister at Madrid. The cause is not proportioned to the effect. The treaty between France and England has lately been thought to have become stationary. This is conjectured from the rigor of the custom-houses, much increased by a late order, as also from some other circumstances. The overtures between England and Portugal are animated in proportion; and in the same degree, I suspect, that the latter lessens her care about us. If her wines were to become superfluous at the English market, she wished and hoped to find a great one with us, open to receive them. M. del Pinto's courier, which carried the treaty to Falmouth, arrived a few hours too late for the Lisbon packet boat. This lost a month in the conveyance, and that month, by producing new prospects, has been critical. There is not a want of probability that del Pinto himself, will succeed to the deceased Minister in Portugal. This would be favorable to our treaty, and fortunate for us, in proportion to the value of a connexion with that nation. He is sensible, candid, and has just ideas as to us, and favorable dispositions towards us. I expect that Mr. Adams is at this moment at the Hague, as he intended there to take leave of that Court, and at the same time to exchange the ratification of the Prussian treaty; but I send on to London copies of the enclosed, in hopes he will speedily be returned there. I shall propose to him that we consider whether the conduct of the Dey of Algiers leaves any hope, that any negotiator could obtain his peace, without a prodigious addition to the price we had thought of? If we

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conclude on the negative, still it will remain to decide whether the expense of Mr. Barclay's going there, may not be compensated by additional information, by the possibility that he might find their ultimatum, and the advantage of relieving the mind of Congress from all suspense, by possessing them of this ultimatum. The peace of Spain too, being concluded, is to be seen whether their interference can weigh as money. It has done so at Morocco, but Algiers is a fiercer power.

I have the honor to be, &c.

TH: JEFFERSON.

FROM THOMAS BARCLAY TO JOHN ADAMS AND THOMAS JEFFERSON.

Morocco, June 26, 1786.

Gentlemen,

This day week we arrived here, since which, I have had two audiences of his Majesty, the first, a public one, and the second, a private one, yesterday. It is but a few minutes since, I heard that a courier will depart this evening for Daralbeyda, and I have not time to enter into particulars. It will be agreeable, however, for you to know that the last draft of the treaty is made, and will probably be signed in a few days, and that our stay here will not exceed that of a week from this time; I believe you will be satisfied on the whole, as there is only one article more, I could wish to be inserted, and that, I really think, in all human probability, will never prove of the least consequence. I shall proceed to Tangiers, and take an early opportunity of sending you a more detailed

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account of our proceedings. In the meantime, I recommend your transmitting, as soon as possible, through Mr. Carmichael, the powers to treat with Tunis and Tripoli, and (if Mr. Lamb has declined all further concern) for Algiers. If you had a treaty with the Porte, I flatter myself the rest would follow, and at all events Tunis and Tripoli should be invited to our friendship.

There is a young man now under my care, who has been a slave some time with the Arabs in the Desert, his name is James Mercier, born in the town of Suffolk, Nansemond county, Virginia. The King sent him after the first audience, and I shall take him to Spain. I have no time to add, but that I am, gentlemen, &c.

THOS. BARCLAY.

Extract of a letter from William Carmichael to Thomas Jefferson.

Madrid, July 31, 1786.

" Since I had the honor of conveying to you the communications made me by the Count de Florida Blanca, respecting the mission of Mr. Barclay in Morocco, I have received the enclosed letter for your Excellency from that gentleman, the contents of which are known to me. I do not know what Congress may decide with regard to the other Barbary States; but I am persuaded, that in our actual circumstances, negotiation will cost less than armaments, although I desire to see the commencement of a military marine. I have hinted, that it might be possible to draw in the Italian powers, in case that hostile

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measures should be adopted by the States, to contribute, in some measure, to defray the immense expense that these armaments must occasion. I beg leave to recommend to your Excellency's consideration this circumstance, I flatter myself that I have acquired the confidenc of the *corps diplomatique* from Italy to this Court, and I think, or I should not mention to you, that I may be of some use to inspire sentiments, and to sketch the outlines of projects advantageous to our interests, should Congress decide to arm instead of negotiating. The Court of Spain has conducted itself so generously in our affairs with the Emperor of Morocco, I have so many reasons to be assured of the King's and Minister's desire, to serve us in promoting our accommodation, with the other Barbary powers; that if my advice could have the least weight, I should counsel our Ministers to solicit the good offices of his Catholic Majesty, to further the views of the States on this head. I will stake my reputation on the best endeavors of Spain, and forfeit all confidence, if the Count de Florida Blanca doth not act as efficaciously, as circumstances will permit him, to effect what he hath already promised me. You, sir, ought to know our present situation, particularly with Great Britain. I have just learned *positively* what I suspected long ago, that the British Ministry would accommodate their disputes, with respect to the Mosquito shore with Spain. This has been done to the satisfaction of this Court. Campo, at London, has the merit of this sort of convention; though the Minister of Great Britain here has had the whole trouble, I have not seen the articles of this arrangement, but I know that the British

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are to evacuate the Mosquito shore, and that they think themselves recompensed by cessions more extensive in another quarter.

"The accommodation between this Court and that of Naples, as proposed by France, will not be accepted, at the same time, permit me to ask in what state our treaty is with Naples? I have a sure channel to convey such insinuations as may be thought proper, to the persons who have the influence most important there. Mr. Lamb's bad state of health, it seems, doth not permit his speedy return to America. There is little appearance that either Naples or Portugal will make their peace with the Regency. Our treaty meets with obstacles much greater than you apprehended, with Portugal. Permit me to tell you, that there is a great probability, that the Ambassador of that nation here will be appointed first Minister, that the Chevalier del Pinto is of another party."

"The Count de Florida Blanca has been indisposed for some time; this is a public misfortune, but still more to me, personally. Mr. Barclay mentions to me, that the English are in disgrace in Morocco. If your powers from Congress are so extensive, as to admit Mr. Barclay's negotiating in Barbary, if even you can, conjointly with Mr. Adams, take upon you what certainly I would do, to consult the public interest without orders; you will allow that gentleman to make overtures, in order to prevent hostilities, at least to give time to Congress, to adopt such measures as they may judge proper. Be assured that all that I can do to second the operations of a man proper to be employed as he is, I shall do cheerfully."

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FROM JOHN JAY TO THOMAS JEFFERSON.

Office for Foreign Affairs,
December 1, 1786.

Dear Sir,

The frigate called the South Carolina, belonging to that State, assisted Spain at the reduction of Providence and the Bahama Islands. To obtain compensation for which, Congress, at the instance of the State, have directed application to be made to the Court of Madrid. The Prince of Luxemburgh is, it seems, interested in the frigate, and in the expected compensation. The Delegates of South Carolina think his influence, if exerted, would conduce much to the success of the application. Your endeavors to obtain his aid and support are requested; and I have the honor of transmitting to you herewith, the papers relative to that transaction, under an unsealed cover, directed to Mr. Carmichael, to whom be pleased to forward them, and from time to time, to give him such advice and intelligence as may facilitate the execution of his instructions on this subject.

With great esteem and regard,

I have the honor to be, &c.

JOHN JAY.

FROM JOHN JAY TO THOMAS JEFFERSON.

Office for Foreign Affairs,
December 13, 1786.

Dear Sir,

Since closing my despatches to you of the 1st instant, I learn from the Consul of France, that the Prince of

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Luxemburgh was only the ostensible owner of the South Carolina frigate, and that she, in reality, belonged to the King of France, who was entitled to a fourth of her prizes and profits. This information induces me to think that it would be advisable to converse on the subject with the Count de Vergennes, previous to any application to the Prince. These despatches will explain this letter.

With great respect and esteem,

I have the honor to be &c.

JOHN JAY.

FROM JOHN JAY TO THOMAS JEFFERSON.

Office for Foreign Affairs,
December 14, 1786.

Dear Sir,

My last to you was dated 27th October, by the way of London, since which I have been honored with yours of the 11th and 13th August. They both arrived the 23rd November last, but Congress not having made a house since the 7th of that month, they have not yet been officially communicated.

The information relative to Sir Guy Carleton's instructions, is in direct opposition to intelligence I have received on the same subject, from persons in London, who have opportunities of knowing the truth, and whose credit is unquestionable. It is possible, however, that they may have been either accidentally or designedly deceived. A variety of considerations, and some facts, afford room for suspicions that there is an understanding, between the in-

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surgents in Massachusetts, and some leading person in Canada, but whether with or without the consent or connivance of the British Government, is still to be ascertained. There is so much evidence of their having sent emissaries to Quebec, and of propositions made to, and received, by them, from a character of distinction there, that I am induced to think there is at least some truth in it. A report has also circulated, that the insurgents have money and pay, not only for supplies and ammunition, but also for personal services. This fact is as yet supported by slender proof; so much so, that my judgment remains undecided and in suspense about it. Intimations have been given, that the people of Vermont are less and less anxious to be admitted into the Confederacy, and that they rather incline to a connexion of some kind or other, with Britain, than with us. This, also, remains to be proved. Two circumstances, however, give it some appearance of probability, viz: it is said and believed they talked with Sir Guy Carleton during the war, and they know that by remaining separate from the States, they will also remain uncharged with our debts.

An idea that may do mischief, has been very incautiously dropped where it should never have entered—that the interests of the Atlantic and western parts of the United States are distinct, and that the growth of the latter, tending to diminish that of the former, the western people have reason to be jealous of the northern. If Britain really means to do us harm, she will adopt and impress this idea.

You will perceive, from the public papers, that the Government of Massachusetts has behaved with great moderation and condescension towards the insurgents;

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more so, in my opinion, than was wise. *Obsta principiis* always appeared to me to be a maxim very applicable to such cases. Those malcontents, undoubtedly, mean more than the redress of grievances, which their leaders complain of, and there is little doubt, but that those leaders have more extensive views, than their followers suspect. During the winter they may, perhaps, continue quiet, but if, during the course of it, they should be able to bring their affairs into system, and either obtain, or be promised, foreign countenance and aid, they will probably give us trouble in the spring. These people bear no resemblance to an English mob; they are more temperate, cool and regular in their conduct. They have hitherto abstained from plunder, nor have they, that I know of, committed any outrages, but such as the accomplishment of their purpose made necessary. I hear today, that some of their leaders, in one of the counties, have certainly been taken by a party of horse from Boston.

In my letter of the 27th October, I enclosed a copy of an act of Congress, authorizing you to settle the affair of Schweighauser, and directing the Board of Treasury to furnish you with the necessary information. I presume therefore, that such part of your letter of the 11th August, as relates to that matter, will be referred to the Board, and that the Commissioners according to order, will collect and transmit to you the intelligence in question.

My sentiments respecting the discussion of this matter with the Court, perfectly correspond with yours.

The situation of our captive countrymen at Algiers is much to be lamented, and the more so as their deliver-

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ance is difficult to effect. Congress cannot command money for that, nor indeed, for other very important purposes. Their requisitions produce little, and government (if it may be called a government) is so inadequate to its objects, that essential alterations, or essential evils must take place. I hope you have received the order of Congress for Mr. Lamb's recall, another copy of it is herewith enclosed.

It seems probable that the delays of Portugal proceed from the cause you suggest. We hear the treaty between France and Britain will be concluded; if so, many consequences will doubtless result from it to us, as well as Portugal. Some suspect that France and England will pursue similar systems of colonial commerce with us. Of this, however, some doubts remain on my mind. This country is still exceedingly out of humor with Britain, and every commercial privilege we have from France, beyond what Britain admits, increases it, and strengthens our predilections for France. It appears to me that the Court is not sufficiently apprised of the expediency, of having a discreet liberal minded Minister here. It is important to both countries, that France should have none but exact and candid representations from hence; and although that may possibly be the case in general at present, yet there is some evidence of one of their Consuls having written, that we suspected their sincerity in promoting our peace with Barbary. Such communications may tend to illustrate the penetration and intelligence of the writer; but I have no reason to think them warranted by facts, nor conducive to mutual confidence. We know that European commercial nations never rejoice to see a rival at peace with those

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pirates, but we, nevertheless, think that France has more inducements to do us good than evil; especially on that and such occasions. If our Government could draw forth the resources of the country, which, notwithstanding all appearances to the contrary, are abundant, I should prefer war to tribute, and carry on our Mediterranean trade in vessels armed and manned at the public expense. I daily become more and more confirmed in the opinion, that Government should be divided into executive, legislative and judicial, departments. Congress is unequal to the first, very fit for the second, and but ill calculated for the third. So much time is spent in deliberation, that the season for action often passes by before they decide on what should be done; nor is there much more secrecy than expedition in their measures. These inconveniences arise, not from personal disqualifications, but from the nature and construction of the Government.

If Congress had money to purchase peace of Algiers, or redeem the captives there, it certainly would, according to their present ideas, be well to lose no time in doing both. Neither pains nor expense, if within any tolerable limits, should be spared to ransom our fellow citizens; but the truth is, that no money is to be expected at present from hence, nor do I think it would be right to make new loans, until we have, at least, some prospect of paying the interest due on former ones. Our country is fertile, abounding in useful productions, and those productions in demand, and bearing a good price, yet relaxation in government, and extravagance in individuals, create much public and private distress, and much public and private want of good faith.

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The public papers will tell you how much reason we have to apprehend an Indian war, and to suspect that Britain instigates it. In my opinion, our Indian affairs have been ill managed. Details would be tedious. Indians have been murdered by our people in cold blood, and no satisfaction given; nor are they pleased with the avidity with which we seek to acquire their lands. Would it not be wiser, gradually to extend our settlements, as want of room should make it necessary, than to pitch our tents through the wilderness, in a great variety of places, far distant from each other, and from those advantages of education, civilization, law and government, which compact settlements and neighborhood afford? Shall we not fill the wilderness with white savages, and will they not become more formidable to us, than the tawny ones who now inhabit it?

As to the sums of money expected from the sale of those lands, I suspect we shall be deceived, for, at whatever price they may be sold, the collection and payment of it will not be easily accomplished.

I have the honor to be, &c.

JOHN JAY.

FROM THOMAS JEFFERSON TO JOHN JAY.

Paris, September 26, 1786.

Sir,

The last letters I had the honor of writing you, were of the 11th and 13th August; since that, I have been favored with yours of July 14th and August 18th. I now enclose you such letters on the Barbary negotia-

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tions as have come to hand since my last, with these is the copy of a joint letter from Mr. Adams and myself, to Mr. Lamb. In mine, of August 13th, I mentioned that I had proposed it as a subject of consideration to Mr. Adams, whether the mission of Mr. Barclay to Algiers might answer any good purposes. He is of opinion that it could not; I have, therefore, informed Mr. Barclay, who, by this time is probably in Spain, that he is at liberty to return to this place, to London or America, as he shall think proper. You will perceive by the letter from Mr. Carmichael, that it is the opinion of the Counts de Florida Blanca and d'Espilly, that a treaty with the Ottoman Porte is necessary, before one can be made with Algiers. Such a treaty will require presents, not indeed as the price of their peace, but such as are usually made in compliment to their Ministers. But as it would be ineffectual towards opening to us the Mediterranean, until a peace with Algiers can be obtained, there seems to be no reason for pressing it till there is a prospect of settlement with the Algerines.

Since the death of the King of Prussia, the symptoms of war between the Porte and the Russians and Venitians, have become stronger; I think it is the opinion of this Court, however, that there will be no war shortly on the continent. I judge this, as well from other information, as from the circumstance of a late reduction of their land force. All their military preparations seem to be against a naval war; nevertheless, their treaty with England has lately taken a sudden start, declarations have been exchanged between the negotiators, in the nature of preliminaries to a definitive treaty, the particulars of these declarations are not yet certainly known.

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I was asked by the Imperial Ambassador, whether I had received an answer on the subject of his proposition to renew our powers to treat with his Sovereign. A discrimination which they understand to have been made in America, between the subjects of powers having treaties with us, and those having none, seems to be the motive of their pressing this matter.

It being known, that M. de Calonnes, the Minister of Finance for this country, is at his wits end how to raise supplies for the ensuing year, a proposition has been made him by a Dutch company, to purchase the debt of the United States to this country for twenty millions of livres, in hand; his necessities dispose him to accede to the proposition, but a hesitation is produced by the apprehension, that it might lessen our credit in Europe, and perhaps be disagreeable to Congress. I have been consulted hereon by the agent of that company, I informed him that I could not judge what effect it might have on our credit, and was not authorized, either to approve or disapprove of the transaction. I have since reflected on this subject; if there be a danger that our payments may not be punctual, it might be better that the discontents which would thence arise, should be transferred from a Court, of whose good will we have so much need, to the breasts of a private company. But it has occurred to me, that we might find occasion to do what would be grateful to this Court, and establish with them a confidence in our honor. I am informed that our credit in Holland is sound; might it not be possible then to borrow there the four and twenty millions due to this country, and thus pay them their whole debt at once? This would save them from any loss on our account; nor is it

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liable to the objection of impropriety in creating new debts, before we have more certain means of paying them; it is only transferring a debt from one creditor to another, and removing the causes of discontent to persons, with whom they would do us less injury. Thinking that this matter is worthy of the attention of Congress, I will endeavor that the negotiation shall be retarded, till it may be possible for me to know their decision, which, therefore, I will take the liberty of praying immediately.

You will have heard before this comes to hand, that the parties in the United Netherlands have come to an open rupture. How far it will proceed, cannot now be foreseen. I send you herewith, the Gazettes of France and Leyden to this date.

I have the honor of being, &c.

TH: JEFFERSON.

FROM THOMAS BARCLAY TO MESSRS. ADAMS AND JEFFERSON.

Morocco, July 16, 1786.

Gentlemen,

I wrote you on the 26th of last month, and expected to have followed my letter in a week, but several unforeseen matters have hitherto detained us; however, I expect we shall set out to-morrow or the day following. The 13th instant the treaty was sent to me by the Effendi, since which some important alterations have been made, which the villainy and carelessness of the Talbe Houdrani (to whom the drawing was committed) made necessary; and yesterday it was again delivered from

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Tahar Fennish, to whose hands the King committed the arrangement of the matter. It still wants an additional article, or rather a declaration, which his Majesty has permitted to be made in his name, but which he desired might not make a part of the treaty. When this is done it will stand as I described it in my last letter, viz: there is only one article more I wish to see inserted, and that I think will never prove of any consequence.

When I send you the treaty, it will be necessary to accompany it with some remarks, with which I will not now trouble you; and the only one I shall make is, that the King, throughout the whole, has acted in a manner the most gracious and condescending, and I really believe the Americans possess as much of his respect and regard, as does any Christian nation whatever. If you should think my services at Algiers, Tunis or Tripoli, necessary, I hope your commands will meet me in the South of Spain, for after returning to Paris, it will be utterly impossible for me to engage further in the business. A peace with the Barbary powers is absolutely essential to the commerce of our country, and I think a general one might be made, notwithstanding the impediments that appear. The Emperor has ordered five frigates on a cruise in the Atlantic Ocean. He is now at peace with all the world, except Russia, Malta, Hamburg and Dantzic. A treaty with the first of these powers was concluded on and the articles drawn, but it was afterwards broken off. The Emperor complains much of the treatment he receives from England, and Mr. Duff, who came here sometime ago as Pro-Consul, returned the day before we arrived, highly offended at his reception, the Emperor having refused to receive the letter which Lord

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Sydney wrote, saying he would read no letters from England, but such as were written by the King. I had a letter yesterday from Mr. Carmichael, and was in great hopes it would have covered one from you, but I am hitherto without the pleasure of hearing from you.

I am always, &c.

THOS. BARCLAY.

FROM THOMAS BARCLAY TO MESSRS. ADAMS AND JEFFERSON.

Mogadore, July 1786.

Gentlemen,

I wrote you from Morocco under date of the 16th. As I do not know when that letter is likely to reach you, I trouble you now with a copy of it; and as I shall set out in a few days for Tangiers, I defer; until my arrival in Europe, being particular.

I am, gentlemen, &c.

THOS. BARCLAY.

FROM THOMAS BARCLAY TO THOMAS JEFFERSON AND JOHN ADAMS.

Daralbeyda, August 11, 1786.

Gentlemen,

I arrived here to-day and shall continue my journey to Tangiers early in the morning. The plague being at Constantine, occasions a rigorous quarantine of forty days (from Barbary) in Spain. I shall therefore endeavor to

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get into Ceuta, which being in the hands of the Spaniards, is an exception to the above remark, and I think the quarantine from thence is only twelve days.

The treaty shall be forwarded with all expedition, as soon as I arrive in Europe, and in the meantime, I am, gentlemen, &c.

THOS. BARCLAY.

FROM JOHN LAMB TO THOMAS JEFFERSON.

Alicant, August 10, 1786.

Finding myself unable to embark, and desiring to have my declaration forwarded as soon as possible, according to your Excellency's orders, I have sent the vessel to give the earliest notice. She sailed the 9th of this current, with every transaction together with my last orders from your Excellency. The vessel is insured, and does not sail at public expense. I should be glad if I could hear if Mr. Randall had arrived and had delivered to your Excellency my declaration, which I forwarded by him. At the reception of your Excellency's last orders to me, I stated my situation in two letters, one of the 15th, and the other of the 18th July, I hope they have come safe to hand.

I am, &c.

JOHN LAMB.

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FROM JOHN ADAMS AND THOMAS JEFFERSON TO JOHN LAMB.

Sir,

We have received your two letters of the 15th and 18th July from Alicant, and are sorry to learn that your indisposition discourages you, from travelling by land or by sea.

We still think it most adviseable both for your own interest, and that of the United States, that you should return to Congress for their further instructions as soon as possible, and we again propose to you to embark from Spain, by the first opportunity.

Congress have never informed us of any promise made, or encouragement given you, that you should be settled with in Europe, and we think it best you should settle with their Board of Treasury. Nevertheless if you transmit to us your account, we will adjust it, as far as lies in us, subject to the revision of Congress. Your letter of credit we wish you to return to one of us, by the first opportunity, as you will not have occasion to draw again by virtue of it.

Mr. Randall is gone to New York, and it is our wish that you might be there with him, that Congress might have an opportunity of receiving from both together, as much information as possible, that you might mutually aid each other in settling your accounts.

We have the honor to be, &c.

JOHN ADAMS,
TH: JEFFERSON.

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Extract of a letter from William Carmichael to Thomas Jefferson.

St. Ildefonso, August 17, 1786.

Sir,

I had the honor to transmit, on the 15th July, to your Excellency, a copy of a note to me from his Excellency the Count de Florida Blanca, dated 13th, enclosing extracts of a letter from the Spanish Consul General in Morocco, and one from the principal Minister of his M. M. relative to Mr. Barclay's negotiation. On the 11th instant I received a note from the Count de Florida Blanca, with a copy of the treaty in Spanish, which I forwarded to Mr. Jay, via France, by the last post. The Count of Florida Blanca having requested me to return the copy he sent me for my perusal. I had not time to make out a second for my own use, and as I perceived, by a letter which I lately sent you from Mr. Barclay, and which that gentleman left open for my perusal, that all but one article of his propositions had been accepted, I do not so much regret my want of time to transcribe a copy for you. I think it, however, proper to submit to your perusal the translation of a letter from his Moroccan Majesty to the Consul General of Spain, which proves the essential services that the interference of his Catholic Majesty hath rendered the United States on this occasion. It is as follows:

"Glory to God alone. There is no strength nor power but in God. (Seal.)

To the Spanish Consul—For him who follows the true path.

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We have received thy letter, and read what thou hast written concerning the Americans. They have presented themselves, bearing a letter from King Charles, for whose sake we have granted their requests and signed the treaties, which they offered and we accepted. We herewith send thee copies of those treaties, in order that thou mayst lay them before the King of Spain. When thou art ready to come into our presence, give notice, in order that horses may be sent for thy accommodation. We salute thee. On the eleventh day of the moon Ramadan, in the year of the Hegira 1200—(corresponding to the 8th July 1786.)"

Yesterday I received the enclosed letter from Mr. Barclay, which your Excellency will receive by a courier despatched from hence, to the Count d'Aranda and the Chevalier del Campo. This messenger carries the ratification of the Convention relative to the Mosquito shore, signed the 14th of July, by the latter and the Marquis of Carmarthen. I have, in my possession, an extract of this Convention; but as I presume Mr. Adams must have already furnished you with a copy of it, I forbear transmitting it. It has given great satisfaction here. The King manifested, in a particular manner, to the British Minister, the pleasure the conclusion of this affair gave him. It seems to be the system of Great Britain to court Spain, and their Minister here is well qualified to execute their plans.

On the 14th of June a treaty was signed between Spain and Algiers. It is not, however, yet ratified, owing to the bad state of health of the Count of F. B. I have sent to Mr. Jay, a copy of this treaty. I have such a

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firm reliance on the repeated promises of the Count de F. B. from the experience of this Minister's punctuality and regard to his word, in all the transactions that I have had with him during my mission here, that I think I can safely assert, that we may depend on the best offices of this Court, whenever it may be judged proper, to renew our overtures to Algiers.

The Republic of Genoa is doing what its limited finances will permit, to protect its commerce. I am told that the King of Sardinia is doing the same. The Portuguese and Neapolitan Envoys have gone to Algiers. Their success is problematical. If I was informed of the obstacles attending our treaty with Portugal, I flatter myself that I might be of some utility. It is not improbable that the Portuguese Ambassador at this Court will be nominated Minister of State. I tell you beforehand that he is anti-gallican. I believe he is of a party opposed to the Chevalier Pinto.

I am assured, by *what ought to be good authority*, that the affairs of this Court and Naples are in a good train. This appears to want confirmation. I write freely and fully to you, and hope you will have the same confidence with respect to your Excellency's &c.

WM. CARMICHAEL.

Extract of a letter from William Carmichael to Thomas Jefferson.

St. Ildefonso, September 4, 1786.

Sir,

Since I had the honor to inform your Excellency of the success of Mr. Barclay's mission, of which I was

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advised by his Excellency, the Count de Florida Blanca, the treaty of this Court with Algiers has been ratified by his Catholic Majesty. This ratification was signed the 27th ultimo. The Count d'Espilly will set out for Algiers in a few weeks, with the presents given on this occasion to the Dey, and the principal officers of the Regency. The ransom of the Spanish prisoners is left for a distinct negotiation. There are also some arrangements to be taken with the Bey of Mascara or Constantine, that demands patience and money.

I am assured by the Counts de Florida Blanca and d'Espilly, that, until we have a treaty with the Porte, it will answer no purpose to attempt a negotiation with Algiers.

FROM JOHN JAY TO THOMAS JEFFERSON.

New York, February 9, 1787.

Sir,

Since my last to you of the 14th December, I have been honored with yours of the 26th September last, which, with the papers that it enclosed, have been laid before Congress, but neither on that, nor any of your late letters, have any orders as yet been made.

The annual election produces much delay in affairs. From that time to this, scarcely any thing has been done. It was not until last week, that, seven States being represented, a President was elected, the choice fell on Major General St. Clair. They have much back business to despatch, several reports on important subjects from the different departments are to be considered and

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decided upon. A form of government, so constructed, has inconveniences, which I think will continue to operate against the public or national interest, until some cause, not easily predicted, shall produce such a modification of it, as that the legislative, judicial and executive business of government may be consigned to three proper and distinct departments. The struggles for and against the impost remain, but promise little. The States, in general, pay little attention to requisitions, and I fear that our debts, foreign and domestic, will not soon be provided for in a manner satisfactory to our creditors. The evils to be expected from such delays are less difficult to be foreseen, than obviated. Our government wants energy, and there is reason to fear, that too much has been expected from the virtue and good sense of the people.

You will receive herewith enclosed, a letter from Congress to his most Christian Majesty, with a copy of it for your information. It is in answer to one received from him, and should have been of earlier date, had Congress sooner convened; be pleased to explain this circumstance to the Minister.

The public papers, herewith sent, contain all we at present know, respecting the troubles in Massachusetts. Whether they will soon be terminated, or what events they may yet produce, is perfectly uncertain; and the more so, as we are yet to ascertain whether, and how far they may be encouraged by our neighbors.

I enclose a copy of a letter from Mr. Otto, formally contradicting the report of an exchange, between France and Spain for the Floridas. That report had excited attention, and given pleasure to Anti-Gallicans.

Our apprehensions of an Indian war still continue; for

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we are at a loss to determine, whether the present continuance of peace is to be ascribed to the season, or their pacific intentions.

We have not yet received the Morocco treaty. As soon as it arrives, I am persuaded that Congress will take the earliest opportunity of making their acknowledgments, to the friendly powers that promoted it. Mr. Lamb is still absent; he, doubtless, has received the order of Congress directing his return, either from you and Mr. Adams, or directly from me.

Congress has not yet given any orders respecting further negotiations with the Barbary States; nor can I venture to say what their sentiments will be on that head. I am equally at a loss to judge, what they will direct respecting treaties of commerce, with the Emperor and other European powers. For my part, I think, and have recommended, that commissions and instructions should be sent to you and Mr. Adams, for those purposes. In my opinion, such treaties for short terms, might be advantageous. The time is not yet come for us to expect the best. The distance of that period will, however, depend much on ourselves.

With very sincere esteem and regard, &c.

JOHN JAY.

FROM THOMAS JEFFERSON TO JOHN JAY.

Paris, October 23, 1786.

Sir,

In a letter of January 2nd, I had the honor of communicating to you the measures, which had been pursued here for the improvement of the commerce, between the

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United States and France. The general view of that commerce, which I had presented to the Count de Vergennes, the circumstance of the renewal of the farms, which had obliged me to press separately, and in the first place, the article of tobacco, and that which had also brought forward that of whale oil; and in my letters of May 27th and 31st, I informed you of the result on the first of these articles. During the course of these proceedings, a Committee had been established for considering the means of promoting the general commerce with America, and the Marquis de Lafayette was named of that Committee, his influence in obtaining that establishment was valuable, but his labors and his perseverance as a member of it, became infinitely more so. Immediately after the Committee of Berni, of which my letter of May 27th gave an account, we thought it expedient to bring the general subject of the American commerce before the Committee: and as the members were much unacquainted, with the nature and value of our commercial productions, the Marquis proposed, that in a letter to him as a member, I should give as particular details of them, as I could, as a ground for that Committee to proceed on. I did so in a letter, a copy of which I have now the honor to enclose. The Committee were well disposed, and agreed to report not only the general measures which, they thought expedient to be adopted; but the form of the letter to be written by the Minister of Finance to me, for the communication of these measures. I have received his letter this morning, and have now the honor to enclose it. I accompany it with the one proposed by the Committee, of which you will perceive that it is almost a verbal copy; it furnishes a proof of the disposi-

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tion of the King and his Ministers, to produce a more intimate intercourse between the two nations, indeed I must say that as far as I am able to see, the friendship of the people of this country towards us is cordial and general, and that it is a kind of security for the friendship of Ministers, who cannot in any country be uninfluenced by the voice of the people: to this we may add that it is their interest as well as ours, to multiply the bands of friendship between us. As the regulations stated in the Minister's letter are immediately interesting to those concerned in our commerce, I send printed copies of it to the seaport towns of France. We may consider them as an ultimate settlement of the conditions of our commerce with this country, for though the consolidation of ship duties, and the encouragements for the importation of rice, are not finally decided, yet the letter contains a promise of them, so soon as necessary facts shall be known. With a view to come at the facts relative to the two last objects, I had proposed, whenever I should receive the final decision now enclosed, to avail myself of the pause, which that would produce, in order to visit the sea-port towns with which we trade chiefly, and to collect that kind of knowledge of our commerce, and of what may be further useful to it, which can only be gathered on the spot, and suggested by one's own inspection; but the delay which has attended the obtaining the final determination, has brought us to the entrance of winter, and will oblige me to postpone my journey to the spring; besides the objects of public utility, which induce me to make a tour of this kind, that of health will oblige me to pay more attention to exercise and change of air, than I have hitherto done, since my residence in Europe, and I am willing

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to hope, that I may be permitted at times to absent myself from this place, taking occasions when there is nothing important on hand nor likely to arise.

The assistance of the Marquis de la Fayette, in the whole of this business, has been so earnest, and so efficacious, that I am in duty bound to place it under the eye of Congress, as worthy of their notice. On this occasion their thanks, or such other notice as they should think proper, would be grateful to him without doubt. He has richly deserved and will continue to deserve it, whenever occasions shall arise of rendering service to the United States. These occasions will continually occur, though the abolition of the monopoly of our tobaccoes cannot be hoped, under the present circumstances. Changes are possible which may open that hope again; however jealous too this country is of foreign intercourse with their colonies, that intercourse is too essential to us to be abandoned as desperate; at this moment indeed it cannot be proposed, but by watching circumstances, occasion may arise hereafter and I hope will arise. I know from experience what would in that case be the value of such an auxiliary.

I have the honor to be, &c.

TH: JEFFERSON.

FROM THOMAS JEFFERSON TO MARQUIS DE LAFAYETTE.

Paris, July 17, 1786.

Sir,

I have now the honor of enclosing to you an estimate of the exports and imports of the United States. Cal-

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culations of this kind cannot pretend to accuracy; where inattention and fraud combine to suppress their objects, approximation is all they can aim at. Neither care nor candor have been wanting on my part, to bring them as near the truth as my skill and materials would enable me to do. I have availed myself of the best documents from the custom-houses, which have been given to the public, and have been able to rectify these in many instances, by information collected by myself, on the spot, in many of the States. Still remember, however, that I call them but approximations, and that they must present some errors as considerable, as they were unavoidable.

Our commerce divides itself into European and West Indian. I have conformed my statement to this division.

On running over the catalogue of American imports, France will naturally mark out those articles with which she could supply us to advantage, and she may safely calculate, that after a little time shall have enabled us to get rid of our present incumbrances, and of some remains of attachment to the particular forms of manufacture, to which we have been habituated, we shall take those articles which she can furnish on as good terms as other nations, to whatever extent she will enable us to pay for them. It is her interest, therefore, as well as ours, to multiply the means of payment; these must be found in the catalogue of our exports, and among these will be seen neither gold nor silver; we have no mines of either of these metals; produce, therefore, is all we can offer. Some articles of our produce will be found very convenient to this country for her own consumption; others will be convenient as being more commerciable in her hands, than those she will give in exchange for them.

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If there be any which she can neither consume nor dispose of by exchange, she will not buy them of us, and of course we shall not bring them to her. If American produce can be brought into the ports of France, the articles of exchange for it will be taken in those ports, and the only means of drawing it hither, is to let the merchant see, that he can dispose of it on better terms here, than any where else. If the market price of this country does not, in itself, offer this superiority, it may be worthy of consideration, whether it should be obtained by such abatement of duties, and even by such other encouragements, as the importance of the article may justify. Should some loss attend this in the beginning, it can be discontinued when the trade shall be well established in this channel.

With respect to the West Indian commerce, I must apprize you that this estimate does not present its present face; no materials have enabled us to see how it stands since the war; we can only show what it was before that period. New regulations have changed our situation there much for the worse. This is most sensibly felt in the exports of fish and flour. The surplus of the former, which these regulations threw back on us, is forced to Europe, where by increasing the quantity it lessens the price. The surplus of the latter is sunk, and to what other objects this portion of industry is turned or turning, I am not able to discover. The imports too, of sugar and coffee, are thrown under great difficulties; these increase the price, and being articles of food for the poorer class, (as you may be sensible on observing the quantities consumed) a small increase of price places them above the reach of this class, which, being numerous, must oc-

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casion a great diminution of consumption. It remains to see whether the American will endeavor to baffle these new restrictions, in order to indulge his habits, or will adapt his habits to other objects, which may furnish employment to the surplus of industry formerly occupied in raising that bread, which no longer finds a vent in the West Indian market. If, instead of either of these measures, he should resolve to come to Europe for coffee and sugar, he must lessen, equivalently, his consumption of some other European articles, in order to pay for his coffee and sugar; the bread with which he formerly paid for them in the West Indies, not being demanded in the European market. In fact, the catalogue of imports offers several articles more dispensable than coffee and sugar. Of all these subjects the committee and yourself are the most competent judges; to you, therefore, I trust them, with every wish for their improvement.

I have the honor to be, &c.

TH: JEFFERSON.

Estimate of the Exports of the United States of America.

	to Europe. *Louis.*	W. Indies. *Louis.*	Total. *Louis.*
Fish,	107,000	50,000	157,000
Fish oil,	181,668	9,562	191,250
Fish bones,	8,400		8,400
Salted meats,		131,500	131,500
Live Stock,		99,000	99,000
Butter, cheese,		18,000	18,000
Flour, bread, 660,000 barrels,	330,000	330,000	660,000
Wheat, 2,210,000 bushels,	331,000		331,000
Indian corn, pulse,	30,000	61,000	91,000

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	Europe.	W. Indies.	Total.
	Louis.	*Louis.*	*Louis.*
Rice, 130,000 barrels, - -	189,350	70,650	260,000
Indigo, - - - - -	51,700		51,700
Tobacco, 87,000 hogsheads,	1,305,000		1,305,000
Potash, 20,000 barrels, - -	49,000		49,000
Peltry, - - - - -	184,900		184,900
Flax seed, - - - -	79,500		79,500
Hemp, - - - -	21,000		21,000
Iron, copper, - - -	84,000	6,000	90,000
Turpentine, &c. 60,000 barrels,	29,410	1,840	31,250
Timber, lumber, - - -	82,000	164,000	246,000
Ships, 300, - - -	216,500		216,500
Miscellanies, - - -	22,000		22,000
	3,302,448	941,552	4,244,000

Estimate of the imports from Europe and Africa of the United States of America.

Woolen cloths of every description, linens of every description, hosiery, hats, gloves, shoes, boots, saddlery and other things of leather, silks, gold and silver lace, jewelry, millinery, toys, East India goods, porcelain, glass, earthen-ware, silver, copper, brass, tin, pewter, lead, steel, iron in every form, upholstery, cabinet work, painter's colors, cheese, pickles, confitures, chocolate, wine, 2000 tons a 100 louis—200,000 louis, brandy, beer, medicinal drugs, snuff, bees wax, books, stationary, mill stones, grind stones, marble, sail cloth, cordage, ship chandlery, fishing tackle, ivory, ebony, barwood, dyewood, slaves, salt, 521,225 bushels at 34 sous, 26,061louis. 6liv. -	3,039,006 0 0

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From the West Indies.

	Louis.	*liv.*	*s.*	
Salt, 500, 484 bushels a 24 sous,	25,024	4	16	
Fruits, - - - - -	2,239	12	00	
Cocoa, 576,589lb at 12 sous,	25,798	12	00	
Coffee, 408,400lbs at 16 sous,	15,249	14	8	
Sugar, 10,232,432lbs. -	168,007	00	00	
Molasses, 3,645,464 gallons at 24 sous, - - - - -	186,281	19	4	
Rum, 3,888,370 gallons, at 2liv. 14s. - - - - -	437,441	15	00	927, 438 8 8
Ginger, pimento, - -	1,395	1	4	
Cotton, 356,591lbs. at 24 sous,	17,829	13	4	
Skins, - - - - -	7,870	6	00	
Indigo, 4,352lbs at 5liv. 8sous.	979	4	16	
Ivory, turtle shell, - -	247	4	16	
Lignum vitæ, sarsaparilla, fustic, annetas, - - -	5,170	00	00	
Logwood, - - -	13,624	21	00	
Mahogany, - - -	23,280	00	00	
				3,966,438 8 8

FROM THOMAS JEFFERSON TO JOHN JAY.

Paris, October 27, 1786.

Sir,

By a confidential opportunity to London, I had the honor of writing to you on the 23rd instant, and of enclosing you the original letter of Monsieur de Calonne to me on the subject of our commerce. As it is probable however that the French packet, which is to sail from L'Orient the first of the next month will sooner reach you, I enclose some printed copies of the same letter by that conveyance, and

Have the honor to be, &c.

TH: JEFFERSON.

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FROM M. DE CALONNE TO THOMAS JEFFERSON.

Fontainebleau, October 22, 1786.

Translation.

Sir,

As it is the intention of the King to favor as much as possible, the commerce of the United States, I have the honor to communicate to you the measures, that have been taken on this subject.

In my letter of the 9th January, 1784 to the Marquis de la Fayette, I informed him that instead of two free ports promised by the treaty with the United States, the King had determined to grant them four, which has been done, and I promised him that I would direct my attention to the custom houses and duties, which are prejudicial to commerce, observing however, that this object demanded long investigations, which are not yet completed. By another letter I informed him, that his Majesty had suppressed the duties upon the exportation of brandy, and I expected this suppression would be useful to the American commerce: I likewise promised him that the duties to the King and Admiralty payable by an American vessel on her arrival in a French port, should be diminished and reduced to a single duty, and regulated according to the number of masts and draught of water, and not by the uncertain estimations of measurement. This reduction requires a perfect knowledge of all the duties paid in our ports, and as they are of various kinds, the statements which I have ordered to be made are not ready.

You know, sir, that the King has appointed a committee for the particular purpose of examining our commercial connexions with the United States, and that the Marquis de la Fayette has presented a project conforma-

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ble to the ideas contained in your letter to the Count de Vergennes: but you will consider how imprudent it would be, to hazard by a change of system, the product of a branch of revenue, which amounts to 28,000,000 upon an article, which is not of the first necessity, after a long discussion of every means that can be at present adapted, to encourage the importations of American tobacco, it has been resolved not to break the agreement with Mr. Morris; but that after the expiration of this contract, no similar one shall be made, and that in the meanwhile the Farmers General should be obliged to purchase annually, about fifteen thousand hogsheads of American tobacco, imported directly from the United States in French or American vessels, at the same price or on the same conditions which have been stipulated by the contract with Mr. Morris.

You will remember, sir, that before a regulation could be made in favor of the importation of whale oil, the Marquis de Lafayette had taken a particular arrrangement with Mr. Sangrain, for the sale of this article to the amount of 800,000 *livres*, and that I had granted him passports, in order to render this first importation free from all duties, whatsoever. The same Mr. Sangraine afterwards made an agreement with some merchants of Boston to the yearly amount of 400,000 *livres*, to last during six years, for which his Majesty has granted the same favors, which are enjoyed by the Hanse towns.

This matter having been lately more entensively examined, the administration to whom the Committee communicated their wish, agreeable to the Marquis de la Fayette's demand, with your opinion entirely to abolish all duties upon oil, have found that at present they could

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not consent to it, on account of the engagements with other powers, all that could be done was to grant during ten years to the whale oil, spermaceti and whatever is comprehended within the denomination, imported from the United States in French or American vessels, the same favors, the same diminution of duties, which the Hanse towns enjoy.

His Majesty hopes, that the commercial connexion between the United States and France will become so considerable, as to engage him to continue the effect of this provisional determination, and it has been observed by the Committee, that a great duty of fabrication has hitherto been paid upon the most favored whale oil, and even upon the national. His Majesty consents to abolish the duty of fabrication, with respect to the whale and spermaceti directly imported from the United States, in French or American bottoms, so that this oil and spermaceti shall not pay during ten years any other duty but 7 *liv.* 10*d.* and 10 *sols* per livre, this last augmentation of ten sols per livre shall cease in 1790.

It has also been determined that particular information be taken, concerning the consumption of Carolina rice in France, and that means be derived to encourage the importation of this article.

Representations having been made concerning the considerable duties laid upon the importations of pot ash and pearl ash, also upon beaver skins and hair, and raw leather. His Majesty has suppressed all duties whatsoever upon those articles, if imported of the growth of the United States in French or American vessels. He is likewise desirous of encouraging every article of American fur. His Majesty has moreover consented to abolish all duties upon masts, yards, keels for ships, red

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cedar, live oak, and in a word, all kinds of wood fit for ship building, imported from the United States, in French or American vessels.

The Committee having likewise represented that there was a duty of five per cent. on the purchase of foreign built ships, and that this duty was prejudicial to the sale of American vessels, his Majesty has been pleased to exempt from all duties, the purchase of ships, which shall be proved to be built in the United States.

Great duties having been formerly laid upon all shrubs, trees and seed, his Majesty has abolished these duties, when the above articles shall be imported in French or American vessels.

It having been represented that the State of Virginia had ordered the arms for her militia to be made in France, an order is passed, that the prohibitions which hitherto have prevented the exportation of arms and gunpowder, as well as the duties laid upon these articles when exported by permission, shall be abolished; and that whenever the United States shall think it expedient to export, from France, arms, guns and gunpowder, they shall have full permission, provided these articles are exported in French or American vessels, and they shall be liable only to a very small duty, in order to facilitate the calculation of exports.

Lastly, his Majesty has received, with the same favor, the applications made to the Committee for the suppression of the heavy duties actually paid upon books, and papers of all kinds. The King abolishes all those duties, when the above articles shall be exported to the United States, in French or American vessels.

It is with great pleasure, sir, that I inform you of these dispositions of his Majesty. They are a new testimony

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of his great desire to establish the most intimate commercial connexion between the two nations, and of the favorable attention he will always pay to any proposal, made in the name of the United States of America.

I have the honor to be, &c.

DE CALONNE.

Your nation will undoubtedly receive, with pleasure, the information of the facilities which the King has just granted to exportations of the wines of Bourdeaux, Guyenne and Touraine, and the suppression of the duties granted by different *arrêts* of Council, of which the Marquis de la Fayette will give you notice.

Translation.

Arrêt of the King's Council of State, exempting from the duty of transit, all the wines which shall arrive in the ports of the Seneschal's jurisdiction of Bourdeuax for embarcation.

September 10, 1786.

Extract from the Register of the Council of State.

The King being informed that the abundance of several successive crops, has occasioned a considerable overstock of wines in Guyenne, and that the greater part of the productions of 1783, 1784 and 1785, remains unsold, his Majesty has thought fit to assist his province of Guyenne, by favoring the exportation of its wines, with a moderation of duties imposed on their exportations, from the ports of this province. For which purpose, being anxious to provide, having heard the report of the Sieur de Calonne, Counsellor in ordinary to the Royal Council,

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Comptroller General of the Finances, the King being present in his Council, has ordered and orders as follows:

ARTICLE I. Reckoning from the day of the publication of the present *arrêt*, until the 1st of January, 1788, all the wines which shall arrive in the ports of the Seneschal's jurisdiction of Bourdeaux for embarcation, shall enjoy, from the place of their production, unto said ports an exemption in transit from all duties of export.

ARTICLE II. The said wines shall also enjoy a privilege of deposit in said ports, free from duties of import in the Seneschal's jurisdiction, and there during the term granted to the present *arrêt*, but after said term, the wines which shall not have been embarked, shall be subject to said duties.

ARTICLE III. The duties of export from the Seneschal's jurisdiction on said wines, and also on those of said jurisdiction, shall be, and are, reduced during the said term, viz: to two livres per ton for those going to foreign, three livres per ton for those going any where else, and this not comprehending the accessary duties.

Done in the King's Council of State, his Majesty being present, held at Versailles, 10th September, 1786.

GRAVIER DE VERGENNES.

Translation.

Arrêt of the King's Council of State, reducing the duties of the wines of Aunis, which are exported to foreign parts.

May 27, 1786.

On the representation made to the King in Council, by the proprietors of vineyards, in the country of Aunis,

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that the different duties, tb which their wines were subject on exportation out of the Kingdom, were, by the additional sous per livre, rated so high as not to admit of exportation, from whence a sensible diminution would result in the cultivation of vines, which constitutes the chief riches of this province; and his Majesty having ordered an account of the duties laid on the wines to be laid before him, as well on their consumption in the country, as when exported to foreigners, and perceiving that in this last case they are subject to infinitely greater duties, than when consumed in the country, he has judged proper to rectify this error, and favorably to receive the representations which the proprietors of the vineyards in the country of Aunis have made to him, for which purpose, being anxious to provide, having heard the report of Sieur de Calonne, counsellor in ordinary to the Royal Council, Comptroller General of thc finances, the King being in his council, has ordered and does order, that, reckoning from the 1st October next, until it shall be otherwise ordered, the wines that shall be carried from different parts of the province of Aunis, for foreign exportation, shall only be subject to the payment of a duty of eight livres per ton, and ten sous per livre, and, in addition to said duty, his Majesty orders, that the half of the product of said duty shall be collected for the benefit of the Lessee General of the Farms, in lieu of the duties of exportation of the tariff of 1664, of the double subsidy and right of guaging and brokerage, and that the other half shall be collected for the benefit of the Administrator General of the aids, in lieu of the rights of brokers, guagers, inspectors of liquors old and new five sous where they may be due,

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and in general for all duties whatsoever from the place of growth, until exportation from the Kingdom.

The proprietors being obliged to make declaration at the nearest offices to the place of growth, and to take, as well from persons employed in the department of the Farmer's General, as those of the general administration, every necessary warrant to assure the destination of said wine to a foreigner.

Done in the King's Council of State, his Majesty being present, held at Versailles, the 27th May, 1786.

DE BRETEUIL.

Translation.

Arrêt of the King's Council of State, suspending the execution of those of 10*th and* 22*nd May,* 1723, *also the* 5*th article af the Ordinance of* 1687*: and ordering that the exemption granted by the letters patent of the month of April,* 1717, *and by the* 4*th article of said ordinance of* 1687, *shall take place in favor of the provinces of the Loire, until it shall be otherwise ordered.*

November 11, 1785.

Extract from the Register of the Council of State.

The King being informed of the memorials presented by the Mayor, sheriffs and citizens of the province of Touraine, Blaisois, Orleans, Saumurois and Anjou, requesting on the one part the revocation of an *arrêt* made by the Council and issued thereupon with letters patent, dated 10th and 22nd May, 1723, by which his Majesty had ordered that the wines of Anjou and other provinces

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of the Loire, although declared for the French Islands and colonies, should pay the ordinary duties of exportation, notwithstanding the declaration of the 3rd article of the letters patent of the month of April 17, 1717, had granted them an exemption: and on the other part, that his Majesty would also be pleased to revoke the order of the 5th article of the ordinance of the Farms of the month of February, 1687, as far as the said article has excepted the wines of Anjou, Maine, Thouars and of the Châtellenie of Chantoceaux, when they should pass into Brittany destined for places situated within the extent of the Farms, from the exemption of the duties of export and import granted by the 4th article of the same ordinance to all sorts of merchandize, going out of the bounds of the Farms, to enter therein again either by land or sea, taking security only from the merchants. His Majesty has acknowledged that this article of the ordinance of the month of February, 1687, has deprived the provinces of the Loire, of the exemption of *transit* granted by the 4th article of the same ordinance to all the other provinces, only the fear of a fraudulent diversion to Brittany by which means the wines of the Loire might be consumed there, without paying the duties of the tariff of 1664.

That the arrêt of the 10th May, 1723, has likewise deprived the same provinces of the Loire of the exemption granted to all the rest of the kingdom by the letters patent of 1787 for the merchandizes destined for the colonies only on account of the same fraud practised by the merchants, who sold the wines of the Loire at Nantes, without having paid the duties of importation, and substituted there the wines of the growth of the province of Brittany; and moreover, because it was considered as cer-

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tain that the wines of the Loire did not suit the colonies and could not bear exportation.

His Majesty being informed, that either the quality of a part of the wines of the Loire has become materially better, or that the fabrication has been improved, it is certain that they are sent at present to the colonies with success, and even to the East Indies, where they arrive in good order, and having found the means proposed to prevent frauds sufficient, by adding to the formalities already established, as well by the letters patent of 1717, as by the *arrêt* of 6th May, 1738, new precautions capable of preventing fraud, and a substitution of one kind of wine for another. His Majesty has considered it as belonging to his justice as well as bounty, not to leave any longer several provinces in his kingdom, under an interdiction founded only on the fear of an abuse, which is foreign to them: and being convinced that the inhabitants of Touraine, Saumurois, Orleans, Blaisois, Anjou should be admitted to participate in the exemption which the other provinces of his Kingdom enjoy. The encouragement which will result therefrom, to cultivate the vine, in these provinces, would soon become a new source of riches to the State, which would amply compensate for the sacrifice of the duties, which would no longer be collected, and notwithstanding every time that this matter has been discussed, the States of his province of Brittany have testified their apprehensions, that the re-establishment of a liberty so desirable for the whole country traversed by the Loire, would be of considerable injury to their Farms of duty, and that it appears just, that they should be heard on the new plan of precautions adopted by his Majesty. He has thought proper to ordain, that the execution there-

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of shall only be for the present, as an essay and provisionally: reserving to himself to pronounce definitively thereon, after the intermedial commission of the States shall have laid before him, the observations they may see fit to make on this subject; it being his intention that this commission attend to this matter without delay, and send their observations immediately.

To which end, being anxious to provide, having seen the request of the Mayor, Sheriffs of the city of Tours, and the municipal officers of the town of Anjers, Blois and Saumur, together with the memorial of the Farmers General, the advice of the Deputies of Trade, and likewise the opinion of the Intendant and Commissary for the department of the generality of Tours, the memorial of the Farmers of the Duties, together with the letters of the Deputies of the province of Brittany. Having also considered the ordinance of the Farms of the month of February, 1687, the letters patent of the month of April, 1717, and those of 22nd May, 1723. Having heard the report of the Sieur Calonne, Counsellor in Ordinary to the Royal Council, Comptroller General of the Finance, the King *being in his council*, has ordered, and does order, as follows:

Article 1. Reckoning from the 1st December next, and until it shall be otherwise ordered, the execution of the fifth article of the first title of the ordinance of the month of February, 1687, shall be suspended and without effect. In consequence of which, the wines, of the growth of the provinces of Touraine, Blaisois, Orleans, Saumurois, Anjou and others of the five large Farms, which shall be transported from the said provinces into those of Picardy, Normandy, and others subject to the

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tariff of 1664, on their way to Brittany, shall enjoy an exemption from the duties of export and import of the said tariff of 1664, and from all local duties, upon taking cautionary discharges conformable to the regulations of the fourth article of the said ordinance of the month of February, 1687, and other precautions, which shall be hereafter ordained.

ARTICLE II. Reckoning from the same to December next, and also until it shall be otherwise ordered, the *arrêt* and letters patent of 10th and 22nd May, 1723, shall be deemed as though they had never taken place, and consequently the wines of the growth of said provinces destined for transportation to the French Islands and Colonies, or for victualling the vessels bound to said Colonies, and which shall be transported there on their way to Brittany, shall enjoy an exemption from the duties of export of the tariff of 1664, and from all local duties, excepting the duties of supply and of those, which make a part of the *régie des aides*, or the administration of the King's *demesnes*, conformable to the dispositions of the 3rd and 4th articles of the letters patent of the month of April, 1717.

ARTICLE III. The merchants and others who would enjoy the benefit of the exemptions, announced in the foregoing first and second articles, shall be obliged to observe the formalities prescribed, as well by the sixth, seventh, eighth and ninth articles of the letters patent, of the month of April, 1717, as by the *arrêt* of the 6th May, 1738, the tenor of which follows.

Formalities to be observed in the transportation of wines.

ARTICLE VI. of the letters patent of 1717. The merchants, traders and waggoners shall be bound to de-

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clare at the office of the place where they take up the wine, if there is one, if not, at the nearest office, the quantities and quality of the wines they wish to despatch, and the place of their destination, and to take at the said office a permit, giving bond to report in three months, a certificate of unloading said wines, at the warehouse at the place of deposit, or of their being embarked in the port, for which they shall have been declared.

Formalities to be observed on the road.

Article vii. Of said letters patent. The said merchants and waggoners shall, moreover, be bound to represent and show the permit to the custom house officers, who shall be found on this road, to permit such visits and verifications, which the said officers would make, who shall be bound to make them, without any delay or expense, and, in case of fraud, the merchandize shall be confiscated, and the offenders mulcted in a fine of five hundred livres.

Formalities to be observed at the place of deposit.

Arrêt of May 6th, 1738. The traders and merchants shall be bound to declare to the clerk of the Farms, the warehouses in which they intend to store the said wines, to give their bond to shew, them in the same quantity and quality, every time they shall be required to do so, without being able to take them out of said warehouses, or transport them from one warehouse to another, until after declaration, and with leave, to admit of the visits and re-verifications of the clerks of the Farms, as often, and whenever they shall judge fit, under penalty, on part of the merchants, in case of drawing of the whole or part of said wines, of confiscation of the value of what shall be wanting, and a fine of five hundred livres, and in case

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of simply removing from one warehouse to another, without declaration, to forfeit the privileges of the place of deposit, and be subject to the payment of all duties.

Formalities to be observed at the time of embarcation.

Article 8th and 9th of the letters patent of 1777.

The said merchants and waggoners shall be bound to see, that their wines be visited before they take them away from the place of deposit, by the clerk of the Farms, and not to put them on board any vessel but in presence of said clerk; to give their bond at the office of the Farms, of the place of embarcation; to report within a year at furthest, for the wines destined for the colonies, a certificate of their being landed in the French Islands or colonies; which certificate shall be written on the back of the permit, and signed by the Governor and Intendant, or by the commandants and commissaries subdelegated in those quarters, and by the clerk of the Farms of the demesnes in the west, under penalty of paying four times the amount of the duties.

Article iv. His Majesty moreover orders, that the merchants and waggoners be bound, on entering into Brittany, to make declaration to the inspectors of the Farmers of the duties, of the quantity and quality of the wine, which shall be brought there; as also to receive on board the boats that shall transport them, two clerks appointed by the said Farmers, who are expressly enjoined, under penalty of severe punishment, to accompany the said wines as far as the place of their deposit, to observe that they be not drawn off, nor from one cask to another, and for this purpose, to use every necessary measure until the casks are arrived at said place of deposit; and the said casks shall not be removed from said deposit, without

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being accompanied by the same clerk of said Farmers, who shall be present at their embarcation; for which purpose the merchants and waggoners shall be bound to take a permit for embarcation, both from the Farmers of the duties and the chief of the Farmers General.

ARTICLE V. His Majesty orders, that the said wines shall only be deposited in the ports of Nantes and Painbeuf; and that in case of drawing off or substitution, in the road or at the place of deposit, upon verbal declaration being made thereof, and duly affirmed to, either by the clerk of the chief of the Farmers General, or by those of the Farmers of the duties, the confiscation of the wines and boats shall be pronounced, as well on the proprietors of the wine, as the masters or conductors of the boats, with a fine of five hundred livres.

ARTICLE VI. His Majesty reserves to himself the power of prescribing such other formalities, as shall be judged necessary for the preservation of the Farm of the duties, belonging to the province of Brittany, after the observations which the intermedial commission of the States of the said province, shall address to the Comptroller General of the Finances, on the contents of the present decree, within the space of three months, from the date of the publication. His Majesty enjoins the Intendants and commissaries, to assist in carrying the present *arrêt* into execution, which shall be printed, published, and fixed up wherever it shall be necessary, and the necessary letters patent shall be made out concerning it.

Done in the King's Council of State, his Majesty being there present, held at Fontainebleau, 11th November, 1785.

THE BARON DE BRETEUIL.

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FROM THOMAS JEFFERSON TO JOHN JAY.

Paris, November 12, 1786.

Sir,

In a letter which I had the honor of writing you on the 26th September, I informed you, that a Dutch company were making propositions to the Minister of Finance here, to purchase, at a discount, the debt due from the United States to this country. I have lately procured a copy of their memoir, which I now enclose. Should Congress think this subject worthy their attention, they have no time to lose, as the necessities of the Minister, which alone has made him to listen to this proposition, may force him to a speedy conclusion. The effect which a payment of the whole sum would have here, would be very valuable. The only question is, whether we can borrow it in Holland, a question which cannot be resolved but in Holland. The trouble of the trial, and expense of the transaction, would be well repaid by the dispositions, which would be excited in our favor, in the King and his Ministers.

I have the honor to be, &c.

TH: JEFFERSON.

Memorial of the Dutch Company.

Translation.

The United States have borrowed a large sum of money from France, for which they pay an interest until they re-imburse it, at the rate of six per cent. per annum. It is not known to us whether the periods of this re-imburse-

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ment are fixed, or whether they are left to the convenience of the United States; the quota of this sum is also unknown. It is supposed that it cannot be less than twenty-four millions, and that the period of re-imbursement is not near. It is thought that the two nations consider their mutual benefit, and upon this supposition an arrangement of the debt of the United States is proposed, which appears to suit the interest of both these powers.

On the part of France, the want of money to facilitate its re-imbursements and improvements, should induce her to fix a certain price for the actual return of so large a sum.

On the part of the United States, the scarcity of money which they experience, and the want of it, which the natural extension of their situation occasions, must render every measure precious that will bring into circulation the sum they have borrowed, and under such a form that this circulation will take place, as well in the United States as elsewhere.

This mode offers of itself. It consists in converting the American debt into bills, payable to the bearer, in sums from five hundred to a thousand French livres, and annexing dividends to these bills, for receiving the interest in such places as shall be agreed and fixed upon. It is by no means to be doubted, but that commerce, and the Europeans who would settle in the United States, would carry there great numbers of these bills, which would probably be re-imbursed there. The United States would find two great advantages from this operation. The first, by acquiring in their circulation at home, a paper, which, by the full credit it would have, would answer all the purposes of cash. Secondly, being able to pay

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at home, a part of the debt and the interest, and to reduce it by degrees, by means of the purchase of lands with these bills, payable to the bearer; for the speculators in land could pay for them in this way with advantage, both on account of their being able to procure these bills in Europe, on better terms than specie, and that it would particularly suit the United States to encourage the exchange of uncultivated lands, which they have to sell, for bills which they must reimburse, and which, in the meantime, costs them an annual interest.

These instances will prove the great benefit which France would procure for the United States, by converting the credit she has given them, into bills payable to the bearer, which might be brought into circulation.

With respect to the benefit France would reap, it is very probable that she might dispose of all these bills at once, to a company who would take them up in consideration of some sacrifice and facilities, which are customary in transactions of such magnitude. It must be observed here, that this arrangement is determined, upon the presumption, as far as the nature of the case will admit, that this debt is recoverable.

It will, therefore, follow, that France will obtain for the purposes of Government, a speedy return of a sum of money which will proportionably lessen the loans, which may be otherwise necessary.

On the first reflection, it might appear that France ought not to sell her debt with the United States, especially on terms favorable to the purchasers, but on conditions of not being obliged to guaranty the same against accidents, which may render it doubtful, as this might occasion a distrust against the credit of the United States,

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which might be prejudicial to them, and which would be impolitic on the part of France, and inconsistent with the reciprocal friendship between her and the United States. This objection will be removed by France continuing to be guarantee for the payment of the bills with interest. This guarantee, therefore, is not only necessary for the success of the proposed arrangement, but the dignity of France also requires it; less hazard will attend this than the risk that attended the losing the sum lent, to aid a revolution which she judged important; the solvency of the United States depending upon their independence, France ought not to expect any premium for guarantying a solvency, the basis of which it is her interest to support. Should the removal of this objection be opposed, by observing that the speedy benefit of twenty millions is not of sufficient consideration, to determine France to make a change, when she should not thereby free herself at least from risk with the United States, we answer, that the advantage of restoring these twenty millions into circulation, and thereby preventing the borrowing of this sum, is not the only one.

The United States are not yet free from all apprehensions of danger, there appears some difficulties between them and England, with regard to fulfilling the treaty of peace. The policy, as well as the inclinations of the United States, require their firmness in every thing they have to transact with that power. They may, therefore, be under the necessity of demanding further pecuniary aids. The circumstances that may render these necessary may likewise render it difficult to obtain, especially should they defer asking them until these circumstances are made public. This arrangement then may

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facilitate their aid; should it require promptness, and should it be impolitic or too hazardous to seek it elsewhere than in France, she may then grant it, without being obliged to increase her taxes, by means of the actual product of her debt. If this consideration has any weight, it follows, that the proposed arrangement should be delayed as short a time as possible. The English funds fall, and which can only be attributed to the apprehension, that a dangerous contest may be occasioned, by the refusal of the Court of London to evacuate the forts.

The proposed arrangement requiring his Majesty's *arrêt*, the following is a sketch of one, if offered.

Sketch of an *arrêt*. Louis, &c.

Upon representations made to us, that the sums we have lent to the United States, our dear allies, will not be returned until a distant period, and, that by turning our debts into negotiable notes, they will enter immediately into circulation, and would afford the said States an advantageous opportunity of discharging the same, both by means of removing the necessity of remitting to Europe the necessary funds for the payment of the interest and capital of part of their debt, represented by the bills, which their circulation shall have brought among them, as also by the opportunities that this circulation may offer of exchanging lands for these bills, which will thereby give a new spring to the cultivation which the United States desire to extend and accelerate, and upon being assured that such an operation would really produce those advantages to the United States, without the least inconveniency, which suggested the measure, especially by guarantying the payment of said bills to the possessors. We have, therefore, &c. &c.

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Another preamble. Louis, &c.

Ever considering what may be advantageous to the United States, and facilitate to them the means of extricating themselves from a debt, which they have been obliged to contract, as well with us, as with other powers, and particularly, their liberation from the loan of the year ———, the period of reimbursement being near at hand, have conceived that it will be a fresh proof of our good will, by giving a form to this loan, which will bring it into circulation, by making it negotiable. It appears to us, that, by converting this sum of ——— into bills, payable to the bearer, to the amount of ——— livres each, with term of interest, payable at fixed places, we should furnish the United States with a simple mode of reimbursing successively within themselves, and without any distress, the bills which will be thrown into commerce. In operating this conversion, we have thought it incumbent on our justice, the dignity of our crown, and our affection for our dear allies, to guaranty the security and the payment of these bills, with their interest. This guarantee will, moreover, afford a fresh proof of the value we fix on preserving our alliance with the United States. We have been the more inclined to adopt this advantageous method for the United States, as it is perfectly reconcileable with the interests of our subjects, with the circumstances and disposition we are in to free our State by degrees, of all its debts and charges. For these reasons, &c. &c.

The articles of the *arrêt* will have in view, 1st. To create bills payable to the bearer, to the amount of the sum lent to the United States in the year ———, the fixed period of whose reimbursement falls in ———

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which bills shall each be of ———, and amounting to ——— numbers, from number one to number ———, agreeable to the model annexed to the *arrêt*. 2nd. To fix the period of reimbursement, and the number of bills which shall be reimbursed at each period; this must be determined by lot. The reimbursements to be made in Paris, Amsterdam, Philadelphia, Boston, New York, Charleston, with bankers, who shall be appointed. 3rd. The number of bills, which, by lot to be reimbursed, shall be published four months before the reimbursement, by means of the public prints most generally known in Europe and America. 4th. To determine where the lots shall be drawn; this would appear to be most proper in one of the cities of the United States. 5th. Until the reimbursements, the bills shall draw an annual interest of six per cent, which shall be paid every year, commencing from ——— in the cities marked out in the ——— article, and by the bankers to be appointed, this payment shall have effect on presentation of the original bill, to which shall be annexed the dividends of interest, agreeable to the model, &c. 6th. The reimbursed bills shall be withdrawn as being extinguished, as also the interest not due. The bankers who shall have paid them, shall account for the same with the United States, by representing them, and these shall successively forward the list to his Majesty's Ambassador to serve as a discharge for his Majesty's guarantee, in proportion as the United States shall reimburse them.

N. B. It appears indispensable to prevent counterfeits, and remove all obstacles in the way of the circulation of the bills, that they be stamped by the Ambassador of the

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United States. An operation which, as well as the others mentioned in the *arrêt*, only to be announced in concert with the United States.

Extract from the Secret Journal of Congress.

October 2, 1787.

The board of Treasury, to whom was referred an extract of a letter from the honorable Mr. Jefferson, Minister Plenipotentiary to the Court of France, having reported,

That the said Minister states, "That a proposition "has been made to Monsieur de Calonne, Minister of "the Finances of France, by a company of Dutch mer- "chants, to purchase the debt due from the United "States to the Crown of France, giving for the said "debt, amounting to twenty-four million of livres, the "sum of twenty million of livres. That information of "this proposition has been given to him by the agent of "the said company, with the view of ascertaining, "whether the proposed negotiation should be agreeable "to Congress."

That the said Minister suggests, "That if there is "danger of the public payments not being punctual, "whether it might not be better that the discontents "which would then arise, should be transferred from a "Court, of whose good will we have so much need, to "the breasts of a private company.

"That the credit of the United States is sound in "Holland; and that it would, probably, not be difficult "to borrow, in that country, the whole sum of money

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" due to the Court of France; and to discharge that " debt without any deduction, thereby doing what would " be grateful with the court, and establishing with them " a confidence in our honor."

On a mature consideration of the circumstances abovementioned, the board beg leave to observe,

That at the time the debt due from the United States to the crown of France was contracted, it could not have been foreseen that the different members of the Union would have hesitated to make effectual provision for the discharge of the same, since it had been contracted for the security of the lives, liberties and property of their several citizens, who had solemnly pledged themselves for its redemption; and that, therefore the honor of the United States cannot be impeached, for having authorized their Minister at the Court of France to enter into a formal convention, acknowledging the amount of the said debt, and stipulating for the reimbursement of the principal and interest due thereon.

That, should the United States at this period, give any sanction to the transfer of this debt, or attempt to make a loan in Holland, for the discharge of the same, the persons interested in the transfer, or in the loan, would have reason to presume that the United States, in Congress, would make effectual provision for the punctual payment of the principal and interest.

That the prospect of such provision being made within a short period, is by no means flattering; and though the credit of the United States is still sound in Holland, from the exertions which have been made to discharge the interest due to the subscribers to the loans in that country, yet, in the opinion of this board, it would be

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unjust, as well as impolitic, to give any public sanction to the proposed negotiation. Unjust, because the nation would contract an engagement, without any well grounded expectation of discharging it with proper punctuality. Impolitic, because a failure in the payment of interest accruing from this negotiation (which would inevitably happen) would justly blast all hopes of credit with the citizens of the United Netherlands, when the exigencies of the Union might render new loans indispensably necessary.

The board beg leave further to observe, that although a grateful sense of the services rendered by the Court of France, would undoubtedly induce the United States, in Congress, to make every possible exertion for the reimbursement of the moneys advanced by his most Christian Majesty, yet, that they cannot presume, that it would tend to establish in the mind of the French Court, an idea of the national honor of this country to involve individuals in a heavy loan, at a time when Congress were fully sensible that their resources were altogether inadequate to discharge even the interest of the same, much less the instalments of the principal, which would from time to time become due. How far the idea of transferring the discontents which may prevail in the French Court, for want of the punctual payment of interest, to the breast of the private citizens of Holland, would be consistent with sound policy, the board forbear to enlarge on.

It may be proper, however, to observe, that the public integrity of a nation is the best shield of defence against any calamities, to which, in the course of human events, she may find herself exposed.

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This principle, so far as it respects the conduct of the United States, in contracting the loans with France, cannot be called in question. The reverse would be the case, should the sanction of the United States be given, either to the transfer of the French debt, or to the negotiation of a loan in Holland, for the purpose of discharging it.

If it be further considered, that the consequences of a failure in the punctual payment of interest, on the moneys borrowed by the United States, can by no means be so distressing to a nation, (and one powerful in resources,) as it would be to individuals, whose dependence for support is frequently on the interest of the moneys loaned, the board presume that the proposed negotiation cannot be considered at the present juncture in any point of view, either as eligible or proper. Under these circumstances they submit it as their opinion,

That it would be proper without delay to instruct the Minister of the United States at the Court of France, not to give any sanction to any negotiation, which may be proposed for transferring the debt due from the United States, to any State or company of individuals, who may be disposed to purchase the same.

Resolved, That Congress agree to the said report."

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FROM THOMAS JEFFERSON TO WILLIAM CARMICHAEL.

Paris, December 26, 1786.

Dear Sir,

A note from me of the 22nd of September, apprised you it would be some time before I should be able to answer your letters, I did not then expect it would have been so long.

I enclose herein a resolution of Congress recalling Mr. Lamb, which I will beg the favor of you to have delivered him. I have written to Mr. Adams on the subject of directing him to settle with Mr. Barclay, and attend his answer. In the meantime, I am not without hopes, Mr. Barclay has done the business. I send also a note desiring Mr. Lamb to deliver you his cypher, and a copy of a letter from the Minister of Finance here to me, announcing several regulations in favor of our commerce.

My Notes on Virginia, having been hastily written, need abundance of corrections, two or three of these are so material, that I am reprinting a few leaves to substitute for the old. As soon as these shall be ready, I will beg your acceptance of a copy, I shall be proud to be permitted to send a copy, also, to the Count de Campomanes, as a tribute to his science and his virtues. You will find in them, that the natural bridge has found an admirer in me also. I should be happy to make with you the tour of the curiosities you will find therein mentiontioned. That kind of pleasure surpasses much, in my estimation, whatever I find on this side of the Atlantic. I sometimes think of building a little hermitage at the na-

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tural bridge (for it is my property) and of passing there a part of the year at least.

I have received American papers to the 1st of November. Some tumultous meetings of the people have taken place in the Eastern States, i. e. one in Massachusetts, one in Connecticut, and one in New Hampshire. Their principal demand was, a respite in the judiciary proceedings. No injury was done however, in a single instance, to the person or property of any one, nor did the tumult continue twenty four hours in any one instance. In Massachusetts, this was owing to the discretion which the malcontents still preserved; in Connecticut and New Hampshire, the body of the people rose in support of government, and obliged the malcontents to go to their homes. In the last mentioned State they seized about forty, who were in jail for trial. It is believed this incident will strengthen our government. These people are not entirely without excuse. Before the war these States depended on their whale oil and fish, the former was consumed in England, and much of the latter in the Mediterranean. The heavy duties on American whale oil, now required in England, exclude it from that market: and the Algerines exclude them from bringing their fish into the Mediterranean. France is opening her ports for for their oil, but in the meanwhile, their ancient debts are pressing them, and they have nothing to pay with. The Massachusetts Assembly, too, in their zeal for paying their public debt, had laid a tax too heavy, to be paid in the circumstances of their State. The Indians seem disposed, too, to make war upon us. These complicated causes determined Congress to increase their

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forces to two thousand men. The latter was the sole object avowed, yet the former entered for something into the measure. However, I am satisfied the good sense of the people is the strongest army our government can ever have, and that it will not fail them. The commercial convention at Annapolis, was not full enough to do business, they found, too, their appointments too narrow, being confined to the article of commerce. They have proposed a meeting at Philadelphia, in May, and that it may be authorized to propose amendments, of whatever is defective in the Federal Constitution.

When I was in England I formed a portable copying press, on the principle of the large one they make there, for copying letters. I had a model made there, and it has answered perfectly. A workman here, has made several from that model. The itinerant temper of your Court will, I think, render one of these useful to you. You must, therefore, do me the favor to accept of one. I have it now in readiness, and shall send it by the way of Bayonne, to the care of Mr. Alexander there, unless Don Miguel de Lardizabel can carry it with him.

My hand admonishes me it is time to stop, and that I must defer writing to Mr. Barclay till to-morrow.

I have the honor to be, &c.

TH: JEFFERSON.

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FROM THOMAS JEFFERSON TO JOHN JAY.

Paris, December 31, 1786.

Sir,

I had the honor of addressing you on the 12th of the last month, since which your favor of October 12th has been received, enclosing a copy of the resolution of Congress for recalling Mr. Lamb. My letter by Mr. Randall informed you, that we had put an end to his powers, and required him to repair to Congress. I lately received a letter from him, dated Alicant, October 10th, of which I have the honor to enclose you a copy, by which you will perceive that the circumstance of ill health, either true or false, is urged for his not obeying our call. I shall immediately forward the order of Congress. I am not without fear, that some misapplication of the public money, may enter into the causes of his declining to return. The moment that I saw a symptom of this in his conduct, as it was a circumstance which did not admit the delay of consulting Mr. Adams, I wrote to Mr. Carmichael to stop any moneys, which he might have in the hands of his banker. I am still unable to judge whether he is guilty of this or not, as by the arrangements with Mr. Adams, who alone had done business with the bankers of the United States in Holland, Mr. Lamb's drafts were to be made on him, and I know not what their amount has been. His drafts could not have been negotiated if made on us both, at places so distant. Perhaps it may be thought, that the appointment of Mr. Lamb was censurable in the moment in which it was made. It is a piece of justice, therefore, which I owe to Mr. Adams, to declare that the propositions went first from me to him.

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I take the liberty of enclosing you a copy of my letter to Mr. Adams, of September 24th, 1785, in which that proposition was made. It expresses the motives operating on my mind in that moment, as well as the cautions I thought it necessary to take; to these must be added the difficulty of finding an American in Europe fit for the business, and willing to undertake it. I knew, afterwards, that Dr. Bancroft (who is named in the letter) could not, on account of his own affairs, have accepted even a primary appointment. I think it evident that no appointment could have succeeded, without a much greater sum of money.

I am happy to find that Mr. Barclay's mission has been attended with complete success. For this we are indebted, unquestionably, to the influence and good offices of the Court of Madrid. Colonel Franks, the bearer of this, will have the honor to put into your hand the original of the treaty, with other papers accompanying it. It will appear by these, that Mr. Barclay has conducted himself with a degree of intelligence and of good faith, which reflect the highest honor on him.

A copy of a letter from Captain O'Bryen to Mr. Carmichael is also herewith enclosed. The information it contains will throw further light on the affairs of Algiers. His observations on the difficulties which arise from the distance of Mr. Adams and myself from that place, and from one another, and the delays occasioned by this circumstance, are certainly just. If Congress should propose to receive the negotiations, they will judge whether it will not be more expedient to send a person to Algiers who can be trusted with full powers; and, also, whether a mission to Constantinople may not be previously neces-

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sary. Before I quit this subject, I must correct an error in the letter of Captain O'Bryen. Mr. Lamb was not limited, as he says, to one hundred, but to two hundred, dollars a piece for our prisoners. This was the sum which had been just paid, for a large number of French prisoners, and this was our guide.

The difference between Russia and the Porte seems patched up for the present. That between Spain and Naples is not yet healed, and probably will not be cordially; but if it does not lead to a war, it will probably end in a settled coolness, and the King of Spain's ceasing to interfere with that Government. The mediation of this Court, I suppose, has been excited by the fear, that Naples might throw itself, into the other scale of the European balance. This has been much feared from the new King of Prussia. Such a weight as this, shifted into the scale of the Emperor, Russia and England would spread a cloud over the prospects of this kingdom. Of the possibility of this event, you will be so much better informed by Mr. Dumas, that it would be going out of my province to take up more of your time with it. The packets at L'Orient have orders to go to Havre, from which place they will ply after the month of February. This will enable me to resume that channel of correspondence with you, as I can always send a confidential servant by the diligence, in twenty-four hours to that place, to put my letters in the hand of our agent there, who will find a passenger or other trusty person to take charge of them, without their going into the post mail. Through passengers and the same agent, your letters to me may be safely conveyed, unopened. I enclose you the Leyden and French gazettes to this date;

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in the latter you will find an authentic copy of the treaty between France and England. I am also desired to send you the papers in the case of André Caron, praying that justice may be done him.

I have the honor of being, &c.

TH: JEFFERSON.

FROM JOHN LAMB TO THOMAS JEFFERSON.

Alicant, October 10, 1786.

I have received your Excellency's letter; I am not able to take passage by sea or land; I have been confined these three months.

I am exceedingly sorry that I cannot have a full settlement in Europe; what I have written concerning it is real.

The letter of credit I will return by the first safe hand. By post all my letters are broken, therefore I think it will be unsafe by that method of conveyance; but in the meantime, shall draw no more.

I am, with great respect, &c.

JOHN LAMB.

Extract of a letter from Thomas Jefferson to John Adams.

Paris, September 24, 1785.

Sir,

My letter of September 19th, written the morning after Mr. Lamb's arrival here, would inform you of that

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circumstance. I transmit you, herewith, copies of the papers he brought to us, on the subject of the Barbary treaties. You will see by them, that Congress has adopted the very plan, which we were proposing to pursue, it will now go on under less danger of objection from the other parties. The receipt of these new papers, therefore, has rendered necessary no change in matters of substance in the despatches we had prepared, but they render some formal changes necessary, for instance, in our letter of credence for Mr. Barclay to the Emperor of Morocco, it becomes improper to enter into those explanations, which seemed proper when that letter was drawn; because Congress, in their letter, enter into that explanation. In the letter to the Count de Vergennes, it became proper to mention the new full powers received from Congress, and which, in some measure, accord with the idea communicated by him to us from the M. de Castries, these and other formal alterations, which appeared necessary to me, I have made, leaving so much of the original drafts, approved and amended by you, as were not inconsistent with these alterations. I have, therefore, had them prepared fair to save you the trouble of copying; yet, whenever you choose to make alterations, you will be so good as to make them, taking, in that case, the trouble of having new fair copies made out.

You will perceive by Mr. Jay's letter, that Congress had not thought proper to give Mr. Lamb any appointment, I imagine they apprehended it might interfere with measures actually taken by us. Notwithstanding the perfect freedom which they are pleased to leave to us on this subject, I cannot feel myself clear of that bias,

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which a presumption of their pleasure gives, and ought to give. I presume that Mr. Lamb met their approbation, because of the recommendations he carried from the Governor and State of Connecticut, because of his actual knowledge of the country and people of those States of Barbary, because of the detention of these letters from March to July, which, considering their pressing nature, would otherwise have been sent by other Americans, who, in the meantime, have come from New York to Paris; and because, too, of the information we received by Mr. Jarvis. These reasons are not strong enough to set aside our appointment of Mr. Barclay to Morocco, that, I think, should go on, as no man could be sent, who would enjoy more the confidence of Congress; but they are strong enough to induce me to propose to you the appointment of Lamb to Algiers, he has followed for many years the Barbary trade, and seems intimately acquainted with those States. I have not seen enough of him to judge of his abilities; he seems not deficient, as far as I can see, and the footing on which he comes, must furnish a presumption for what we do not see; we must say the same as to his integrity; we must rely for this on the recommendations he brings, as it is impossible for us to judge of this for ourselves, yet it will be our duty to use such reasonable cautions as are in our power. Two occur to me, 1st. To give him a clerk capable of assisting and attending to his proceedings, and who, in case he thought any thing was doing amiss, might give us information. 2nd. Not to give a credit on Van Staphorst and Willink, but let his drafts be made on yourself, which, with the knowledge you will have of his proceedings, will enable you to check them,

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if you are sensible of any abuse intended; this will give you trouble, but as I have never found you declining trouble when it is necessary, I venture to propose it; I hope it will not expose you to inconvenience, as by instructing Lamb to insert in his drafts a proper usance, you can, in the meantime, raise the money for them, by drawing on Holland. I must inform you that Mr. Barclay wishes to be put on the same footing with Mr. Lamb, as to this article, and, therefore, I return you your letter of credit on Van Staphorst and Co. As to the first article, there is great difficulty, there is nobody at Paris, fit for the undertaking, who would be likely to accept it; I mean, there is no American, for I should be anxious to place a native in the trust; perhaps you can send us one from London, there is a Mr. Randolph* there, from New York, whom Mr. Barclay thinks might be relied on very firmly for integrity and capacity. He is there for his health; perhaps you can persuade him to go to Algiers in pursuit of it; if you cannot, I really know not what will be done, it is impossible to propose to Bancroft, to go in a secondary capacity. Mr. Barclay and myself have thought of Cairnes, at L'Orient, as a dernier resort, but it is uncertain, or rather improbable, that he will undertake it. You will be pleased, in the first place, to consider of my proposition to send Lamb to Algiers, and in the next, all the circumstances before detailed, as consequences of that.

"The enclosed letter from Richard O'Bryen furnishes powerful motives for commencing by some means or other the treaty with Algiers, more immediately than would

* Ought to be Randall.

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be done, if left to Mr. Barclay; you will perceive by that, that two of our vessels with their crews and cargoes have been carried captive into that port; what is to be done as to those poor people? I am for hazarding the supplementary instruction to Lamb, which accompanies these papers; alter it or reject it as you please. You ask what I think of claiming the Dutch interposition? I doubt the fidelity of any interposition too much to desire it sincerely. Our letters to this Court heretofore, seemed to oblige us to communicate with them on the subject. If you think the Dutch would take amiss our not applying to them, I will join you in the application, otherwise, the fewer are apprized of our proceedings the better. To communicate them to the States of Holland is to communicate them to the world."

FROM JOHN PAUL JONES TO THOMAS JEFFERSON.

Paris, August 16, 1786.

Sir,

Having no roll of the Ariel in my possession, I am unable to determine the legality of the claim expressed in the papers you did me the honor to send for my opinion. The papers of that frigate were deposited in the admiralty at Philadelphia, I think in April or May, 1781, and I remember that some arrangement with Mr. Holker was spoken of by the Board, for the wages due to the Marines, who being French subjects, were claimed by the Chevalier de la Luzerne, and sent to join Monsieur des Touches at Rhode Island. As this happened in the moment when paper money was going out of circulation,

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perhaps the men have not been paid? The truth can only be known by writing to America, unless you think fit to consult the Count des Touches, with whom they embarked at Philadelphia for Rhode Island.

I have the honor to be, &c.

PAUL JONES.

FROM THOMAS JEFFERSON TO JOHN JAY.

Paris, January 9, 1787.

Sir,

My last of December 31st, acknowledged the receipt of yours of October 12, as the present does those of October 3rd, 9th and 27th, together with the resolution of Congress of October 16, on the claim of Schweighauser. I will proceed in this business on the return of Mr. Barclay, who being fully acquainted with all the circumstances, will be enabled to give me that information, the want of which might lead me to do wrong on the one side or the other.

Information of the signature of the treaty with Morocco has been long on its passage to you. I will beg leave to recur to dates, that you may see that no part of it has been derived from me. The first notice I had of it was in a letter from Mr. Barclay dated Daralbeyda, August 11th, I received this on the 13th September, no secure conveyance offered till the 26th of the same month, being 13 days after my receipt of it. In my letter of that date, which went by the way of London, I had the honor to enclose you a copy of Mr. Barclay's letter. The conveyance of the treaty itself is suffering a delay here at

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present, which all my anxiety cannot prevent. Colonel Frank's baggage which came by water from Cadiz to Rouen, has been long and hourly expected, the moment it arrives he will set out for London, to have duplicates of the treaty signed by Mr. Adams and from thence he will proceed to New York. The Chevalier del Pinto, who treated with us on behalf of Portugal being resident at London, I have presumed that the causes of the delay of that treaty had been made known to Mr. Adams, and by him communicated to you, I will write to him by Colonel Franks, in order that you may be answered on that subject.

The publication of the enclosed extract from my letter of May 27th, 1786, will I fear have very mischievious effects, it will tend to draw on the Count de Vergennes, the formidable phalanx of the Farms, to prevent his committing himself to me in any conversation, which he does not mean for the public papers, to inspire the same diffidence into all other Ministers with whom I might have to transact business, to defeat the little hope, if any hope existed, of getting aid of the Farm on the article of tobacco, and to damp that freedom of communication which the resolution of Congress, May 3rd, 1784, was intended to re-establish.

Observing by the proceedings of Congress, that they are about to establish a coinage, I think it my duty to inform them, that a Swiss of the name of Drost, established here, has invented a method of striking the two faces and edge of a coin at one stroke, by this and other simplifications of the process of coinage, he is enabled to coin from 25,000 to 30,000 pieces a day with the assistance of only two persons, the pieces of metal being first

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prepared. I send you by Colonel Franks three coins of gold, silver and copper, which you will perceive to be perfect medals, and I can assure you from having seen him coin money, that every piece is as perfect as these; there has certainly never yet been seen any coin, in any country, comparable to this; the best workmen in this way acknowledge that his is like a new art. Coin should always be made in the highest perfection possible, because it is a great guard against the danger of false coinage. This man would be willing to furnish his implements to Congress, and if they please, he will go over and instruct a person to carry on the work, nor do I believe, he would ask any thing unreasonable. It would be very desirable that in the institution of a new coinage, we should set out on so perfect a plan as this, and the more so as while the work is so exquisitely done it is done cheaper.

I will certainly do the best I can, for the reformation of the Consular Convention, being persuaded that our States would be very unwilling to conform their laws either to the Convention or to the scheme, but it is too difficult and too delicate to form sanguine hopes: however, that there may be room to reduce the Convention as much as circumstances will admit, will it not be expedient for Congress to give me powers, in which there shall be no reference to the scheme? The powers sent me, oblige me to produce that scheme, and certainly the moment it is produced, they will not abate a tittle from it, if they recollect the scheme and insist on it, we can but conclude it; but if they have forgotten it, (which may be) and are willing to reconsider the whole subject, perhaps we may get rid of something the more of it, as the delay is not injurious to us; because the Convention whenever and

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however made, is to put us in a worse state than we are in now. I shall venture to defer saying a word on the subject, till I can hear from you in answer to this. The full powers may be sufficiently guarded by private instruction to me, not to go beyond the former scheme, this delay may be well enough ascribed (whenever I shall have received new powers) to a journey I had before apprized the Minister that I should be obliged to take to some mineral waters in the South of France, to see if by their aid, I may recover the use of my right hand, of which a dislocation about four months ago, threatens to deprive me in a great measure. The surgeons have long insisted upon this measure. I shall return by Bourdeaux, Nantes, and L'Orient to get the necessary information for finishing our commercial regulations here, permit me however to ask as immediately as possible, an answer either affirmative or negative, as Congress shall think best, and to ascribe the delay on which I venture, to my desire to do what is for the best.

I send you a copy of the late marine regulations of this country; there are things in it which may become interesting to us, particularly what relates to the establishment of a marine militia, and their classification.

You will have seen in the public papers that the King has called an assembly of the Notables of his country. This has not been done for one hundred and sixty years past. Of course it calls up all the attention of the people. The objects of this assembly are not named; several are conjectured; the tolerating the Protestant religion; removing all the custom houses to the frontier; equalizing the *Gabelles on* salt through the kingdom; the sale of the King's domains to raise money; or, finally,

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the effecting this necessary end by some other means, are talked of; but in truth nothing is known about it. This Government practises secrecy so systematically, that it never publishes its purposes or its proceedings sooner or more extensive than necessary. I send you a pamphlet which, giving an account of the last *Assemblee des Notables*, may give an idea of what the present will be.

A great desire prevails here of encouraging manufactures. The famous Bolton and Watts, who are at the head of the plated manufactures of Birmingham, the steam mills of London, copying presses and other mechanical works, have been here. It is said, also, that Wedgwood has been here, who is famous for his steel manufactures, and an earthen ware in the antique style. But as to this last person, I am not certain. It cannot, I believe, be doubted but that they came at the request of Government, and that they will be induced to establish similar manufactories here. The transferring hither, those manufactures which contribute so much to draw our commerce to England, will have a great tendency to strengthen our connexions with this country, and loosen them with that.

The enfranchising the port of Honfleur, at the mouth of the Seine, for multiplying the connexions with us, is at present an object; it meets with opposition in the Ministry, but I am in hopes it will prevail. If natural causes operate, uninfluenced by accidental circumstances, Bourdeaux, and Honfleur or Havre, must ultimately take the greatest part of our commerce. The former, by the Garonne and Canal of Languedoc, opens the southern provinces to us. The latter, the northern ones and Paris. Honfleur will be peculiarly advantageous for our rice and

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whale oil, of which the principal consumption is at Paris. Being free, they can be re-exported when the market here shall happen to be overstocked.

The labors of the ensuing summer will close the eastern half of the harbor of Cherbourg, which will contain and protect forty sail of the line. It has from fifty to thirty-five feet water next to the cones, shallowing gradually to the shore. Between this and Dunkirk the navigation of the channel will be rendered much safer in the event of a war with England, and invasions on that country become more practicable.

The gazettes of France and Leyden, to the present date, accompany this.

I have the honor to be, &c.

TH: JEFFERSON.

Office for Foreign Affairs,
May 10, 1787.

The Secretary of the United States for the Department of Foreign Affairs, to whom was referred that part of Mr. Jefferson's letter of the 9th January last, which relates to the Consular Convention, viz:

" I will certainly do the best I can, for the reformation " of the Consular Convention, being persuaded that our " States would be very unwilling to conform their laws " either to the Convention or to the Scheme, but it is " too difficult and too delicate to form sanguine hopes: " however, that there may be room to reduce the Con- " vention, as much as circumstances will admit, will it " not be expedient for Congress to give me powers, in

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" which there shall be no reference to the Scheme? " The powers sent me, oblige me to produce that " Scheme, and certainly, the moment it is produced, " they will not abate a tittle from it. If they recollect " the Scheme, and insist on it, we can but conclude it, " but if they have forgotten it, (which may be) and are " willing to re-consider the whole subject, perhaps we " may get rid of something the more of it. As the " delay is not injurious to us, because the Convention, " whenever and however made, is to put us in a worse " state than we are in now, I shall venture to defer " saying a word on the subject, till I can hear from you, " in answer to this. The full powers may be sufficiently " guarded, by private instructions to me, not to go be- " yond the former Scheme; this delay may be well " enough ascribed (whenever I shall have received " new powers) to a journey I had before apprized the " Minister that I should be obliged to take to some " mineral waters in the south of France, to see if by " their aid I may recover the use of my right hand, of " which a dislocation about four months ago threatens to " deprive me in a great measure. The surgeons have " long insisted on this measure. I shall return by Bour- " deaux, Nantes and L'Orient, to get the necessary in- " formation for finishing our commercial regulations here. " Permit me however to ask as immediately as possible, " an answer either affirmative or negative, as Congress " shall think best, and to ascribe the delay on which I " venture, to my desire to do what is for the best." Reports,

That in his opinion the Court of France regard the Consular Convention in its present form as an interesting

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object, and that no article or provision in it will escape their recollection. He nevertheless thinks that the policy of yielding to such circumstances, as cannot without risk and hazard be neglected or controlled, will induce them at least to consent to the proposed article, for limiting the duration of the Convention.

As he perceives no inconvenience likely to result from giving Mr. Jefferson a commission, authorizing him in general terms to negotiate and conclude a Convention with his most Christian Majesty, for ascertaining the authority and powers of French and American Consuls, your Secretary thinks it will be adviseable to send him such a commission, that he may thereby have an opportunity of endeavoring to realize the advantages he expects from it, and which under a new administration (perhaps not well advised of what has passed) may be attainable.

In the opinion of your Secretary, it will therefore be expedient to send Mr. Jefferson a commission of the following tenor, viz:

We, the United States of America in Congress assembled at the City of New York, to our well beloved Thomas Jefferson, Esq. our Minister Plenipotentiary at the Court of his most Christian Majesty, &c. &c. send greeting. Being desirous to promote and facilitate the commerce between our States and the dominions of his said Majesty, and for that purpose to conclude with him a Convention for regulating the powers, privileges and duties of our respective Consuls, Vice Consuls, agents and Commissaries, and having full confidence in your abilities and integrity, we do by these presents authorize and empower you the said Thomas Jefferson, in our name and

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behalf, to treat with any person having equal powers from his most Christian Majesty, of and concerning such Convention, and the same in our name and behalf to conclude, sign and seal. And we do promise to ratify and confirm whatever Convention shall in virtue of this commission be by you so concluded, provided the duration of the same be limited to any term not exeeeding —— years.

Witness our seal and the signature of his Excellency Arthur St. Clair, our President, this —— day of —— in the year of our Lord, one thousand seven hundred and eighty seven, and the 11th of our independence.

Your Secretary thinks it would be proper to write the two following letters to Mr. Jefferson, the *first* of which he might communicate to the Court:

Sir, *

Congress being desirous that the commerce between the United States and France, may be promoted by every reciprocal regulation conducive to that end, wish that no time may be lost in ascertaining the privileges, powers and duties, of their respective Consuls, Vice Consuls, and commercial agents and commissaries.

They regret the circumstance which calls you to the south of France, but are perfectly satisfied that you should make that or any other journey, which your health may require. It is their wish and instruction, that on

* This and the following letter were forwarded to Mr. Jefferson and dated July 27, 1787.

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your return to the Court, your attention may be immediately directed to the abovementioned subject. Considering that Conventions of this nature, however apparently useful in theory, may, from some defects or unforeseen circumstances, be attended with inconveniences in practice, they think it best that they should be probationary at least in the first instance, and, therefore, that the term to be assigned for the duration of the one in question, should not exceed years. They also think it adviseable, in order to obviate any difficulties that might arise from your not having been more formally authorized to complete this business, to give you an express and special commission for the purpose, which I have now the honor to enclose.

Sir,

You will herewith receive another letter from me of this date, together with the commission mentioned in it. Both of them are in pursuance of the ideas suggested in your letter of the 9th January last. If the whole subject should be reconsidered, and a new Convention formed, it is the pleasure of Congress that the duties, powers and privileges, of Consuls, Vice Consuls, agents and commissaries, be accurately delineated, and that they be as much circumscribed and limited as the proper objects of their appointments will admit, and the Court of France consent to. How far it may be in your power to obtain a Convention perfectly unexceptionable, must depend on several circumstances not yet decided.

Congress confide fully in your talents and discretion, and they will ratify any Convention, that is not liable to

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more objections than the one already in part concluded; provided an article limiting its duration to a term not exceeding twelve years, be inserted.

All which is submitted to the wisdom of Congress.

JOHN JAY.

FROM THOMAS JEFFERSON TO JOHN ADAMS.

Paris, January 11, 1787.

Sir,

Mr. Jay, in his last letter to me, observes, they hear nothing further of the treaty with Portugal. I have taken the liberty of telling him, that I will write to you on the subject, and that he may expect to hear from you on it, by the present conveyance. The Chevalier del Pinto being at London, I presume he has, or can inform you, why it is delayed on their part. I will thank you also for the information he shall give you.

There is here an order of priests, called the Mathurins, the object of whose institution is, the begging of alms, for the redemption of captives. About eighteen months ago, they redeemed three hundred, which cost them about fifteen hundred livres a piece. They have agents residing in the Barbary States, who are constantly employed, in searching and contracting for the captives of their nation, and they redeem at a lower price than any other people can. It occurred to me, that their agency might be engaged for our prisoners at Algiers. I have had interviews with them, and the last night, a long one with the General of the order. They offer their services, with all the benignity and cordiality possi-

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ble. The General told me, he could not expect to redeem our prisoners as cheap as their own, but that he would use all the means in his power, to do it on the best terms possible, which will be the better, as there will be the less suspicion that he acts for our public. I told him, I would write to you on the subject, and speak to him again. What do you think of employing them, limiting them to a certain price, as three hundred dollars, for instance, or any other sum you think proper? He will write immediately, to his instruments there, and in two or three months, we can know the event. He will deliver them at Marseilles, Cadiz, or where we please, at our expense. The money remaining of the fund, destined to the Barbary business, may, I suppose, be drawn on for this object. Write me your opinion, if you please, on this subject, finally, fully and immediately, that, if you approve the proposition, I may enter into arrangements with the General, before my departure to the waters of Aix, which will be about the beginning of February.

I have the honor to be &c.

TH: JEFFERSON.

FROM THOMAS JEFFERSON TO JOHN JAY.

Paris, February 1, 1787.

Sir,

My last letters were of the 31st December and 9th of January. Since which last date, I have been honored with yours of December the 13th and 14th. I shall pay immediate attention to your instructions relative to the

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South Carolina frigate. I had the honor of informing you of an improvement in the art of coining, made here by one Drost, and of sending you, by Colonel Franks, a specimen of his execution in gold and silver. I expected to have sent also a coin of copper. The enclosed note from Drost will explain the reason why this was not sent. It will let you see, also, that he may be employed, as I suppose he is not so certain as he was of being engaged here. Mr. Grand, who knows him, gives me reason to believe he may be engaged reasonably. Congress will decide whether it be worth their attention.

In some of my former letters, I suggested an opportunity of obliging this Court, by borrowing as much money in Holland as would pay the debt due here, if such a loan could be obtained; as to which I was altogether ignorant. To save time, I wrote to Mr. Dumas, to know whether he thought it probable a loan could be obtained, enjoining him the strictest secrecy, and informing him I was making the inquiry merely of my own motion, and without instruction. I enclose you his answer. He thinks purchasers of the debt could be found with a sacrifice of a small part of the capital, and a postponement be obtained of some of the first re-imbursements. The proposition for an immediate adoption of this measure, by me, was probably urged on his mind by a desire to serve our country, more than a strict attention to my duty and the magnitude of the object. I hope, on the contrary, that if it should be thought worth a trial, it may be put into the hands of Mr. Adams, who knows the ground and is known there, and whose former successful negotiations in this line, would give better founded hopes of success on this occasion.

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I formerly mentioned to you the hopes of preferment entertained by the Chevalier de la Luzerne. They have been baffled by events, none of the vacancies taking place which had been expected. Had I pressed his being ordered back, I have reason to believe the order would have been given; but he would have gone back in ill humor with Congress. He would have laid forever at their door the failure of promotion, then viewed as certain, and this might have excited dispositions that would have disappointed us of the good we hoped from his return. The line I have observed with him, has been to make him sensible that nothing more was desired by Congress than his return, but that they would not willingly press it, so as to defeat him of a personal advantage. He sees his prospects fail, and will return in the approaching spring, unless something unexpected should turn up in his favor. In this case, the Count de Moustier has the promise of succeeding to him; and, if I do not mistake his character, he would give great satisfaction. So that I think you may count on seeing the one or the other by midsummer.

It had been suspected that France and England might adopt those concerted regulations of commerce for their West Indies, of which your letter expresses some apprehensions, but the expressions on the 4, 5, 7, 11, 18, and other articles of their treaty, which communicate to the English the privileges of the most favored *European* nation only, has lessened, if not removed, those fears. They have clearly reserved a right of favoring, specially, any nation not European; and there is no nation out of Europe, who could so probably have been in their eye at that time, as ours. They are wise, they must see it

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probable, at least, that any concert with England will be but of short duration; and they could hardly propose to sacrifice for that, a connexion with us which may be perpetual.

We have been for some days, in much inquietude for the Count de Vergennes, he is very seriously ill, nature seems struggling to decide his disease into gout, a swelled foot at present, gives us a hope of this issue, his loss would at all times have been very great; but it would be immense, during the critical poise of European affairs, existing at this moment. I enclose you a letter from one of the foreign officers, complaining of the non-payment of their interest, it is only one out of many I have received. This is accompanied by a second copy of the Moorish declaration, sent me by Mr. Barclay. He went to Alicant to settle with Mr. Lamb, but, on his arrival there, found he was gone to Minorca. A copy of this letter will inform you of this circumstance, and of some others, relative to Algiers, with his opinion on them. Whatever the States may enable Congress to do for obtaining the peace of that country, it is a separate question, whether they will redeem our captives, how, and at what price? If they decide to redeem them, I will beg leave to observe, that it is of great importance that the first redemption be made at as low a price as possible, because it will form the future tariff; if these pirates find that they can have a very great price for Americans, they will abandon, proportionably, their pursuits against other nations, to direct them towards ours; that the choice of Congress may be enlarged, as to the instruments they may use for effecting the redemption. I think it my duty to inform them, that there is here an

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order of priests, called the Mathurins, the object of whose institution is, to beg alms for the redemption of captives; they keep members always in Barbary, searching out the captives of their own country, and redeem, I believe, on better terms than any other body, public or private; it occurred to me, that their agency might be obtained for the redemption of our prisoners at Algiers. I obtained conferences with the General, and with some members of the order. The General, with all the benevolence and cordiality possible, undertook to act for us, if we should desire it; he told me, that their last considerable redemption was of about three hundred prisoners, who cost them somewhat upwards of fifteen hundred livres a piece, but that they should not be able to redeem ours as cheap as they do their own; and that it must be absolutely unknown, that the public concern themselves in the operation, or, the price would be greatly enhanced. The difference of religion was not once mentioned, nor did it appear to me to be thought of, it was a silent reclamation and acknowledgment of fraternity, between two religions of the same family, which historical events of ancient date had rendered more hostile to one another, than to their common adversaries. I informed the General, that I should communicate the good dispositions of his order to those, who alone had the authority to decide whatever related to our captives. Mr. Carmichael informs me, that moneys have been advanced for the support of our prisoners at Algiers, which ought to be replaced; I infer from the context of his letter, that these advances have been made by the Court of Madrid. I submit the information to Congress.

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A treaty of commerce is certainly concluded between France and Russia; the particulars of it are yet secret.

I enclose the Gazettes of France and Leyden to this date.

I have the honor to be, &c.

TH: JEFFERSON.

FROM MR. DROST.

Sir,

I have the honor to inform you that I cannot make the gold piece you require of me, as I am not allowed to do it, without running the risk of displeasing the government, having received orders to that effect. Will you have the goodness to inform Mr. Jefferson, that in consequence of this, he cannot have the pieces which he has asked of me, as it is not in my power to make them at present, nor before I receive new orders.

I have not yet had time to begin the memorandum which you have had the goodness to require of me, relative to the coining of money. I am more than ever determined to accept the offers which may suit me, and even to go to a foreign country. Thus, sir, if Congress will allow me a reasonable salary, I will establish for them all the necessary machineries for coining the finest money that has, perhaps, ever existed, and besides with less expenses. I think that it will be sufficient to make an estimate, in this memorandum, of the cost of those machineries, which might be established, that is to say, to have made here, to be sent afterwards to America. As to the coinage of specie it is more difficult to fix an exact

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price; all I can say, is that they can be done at a less price than they cost here, whatever it may be. I shall willingly take charge of the machines, of the coins, and the engraving of them, according to a price agreed upon; and as to the mixing of metals of gold and silver, I should not like to meddle with it. Besides I shall have sufficient employment in constructing the machines, in flattening, cutting, fitting the pieces, and stamping them. I shall make it my business to collect all the necessary information for the memorandum, and I shall have the honor to give it to you as soon as it is done, and also to confer with you on the subject.

I am, with great respect, sir, &c.

DROST.

FROM CHEVALIER DE SIGOND TO THOMAS JEFFERSON.

Translation.

Bausser in Provence, January 17, 1787.

Sir,

A friend who is requested by me to receive the interest due on some contracts, of which I am the owner, informs me that M. Grand has not received any funds for that object. He is now two years in arrears.

Shall it be so much longer? and must we forever apply to our friends for the purpose of fulfilling our engagements, when we cannot do it ourselves?

After we have exposed our lives for the service of your States, and after we have co-operated in the great work of your independence, is it not natural that we would de-

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pend on an income so well acquired? when during a very long war we have deprived ourselves of all enjoyments, and when we could not even procure ourselves the absolute necessaries of life, except at our own expense, is it not horrible that the States should be so long in liquidating a debt, which they have authentically acknowledged as well acquired; that they do not pay even the interest?

Not thinking, sir, of such a want of good faith, I made on my way to Paris, a loan of eighteen hundred francs, which I am pressed to reimburse, and on which I have paid the interest since the year '85.

Having always made it a point of satisfying my friends with exactness, I beg you to inform me whether you can give an order to M. Grand to pay me that sum; or whether you would rather accept a bill of exchange, drawn on you for the amount, than to give me credit for the interest which is due me.

The justice of my demand is too apparent, to allow you to refuse granting me one of the two means which I point out to you, in order that I may meet my engagements, and that I may be relieved from the embarrassment, in which I am placed by the want of good faith in the States which you represent.

I have the honor to be, &c.

LE CHEV. DE SIGOND.

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FROM C. W. F. DUMAS TO THOMAS JEFFERSON.

Translation.

The Hague, January 23, 1787.

Sir,

Having just returned from Amsterdam, I hasten to answer the confidential question put to me by your Excellency, in your letter of 25th Dec. last,—*Whether a loan could be negotiated in Holland for the purpose of reimbursing the twenty-four millions of livres tournois due to France?*

I have consulted in that place, some intimate friends, on whom I can depend as to their discretion, which shall be scrupulously observed, as well as their capacity, honesty, and perfect sufficiency, for the execution of such an undertaking. This is the result of our conversation, taken down in writing, at Amsterdam, on the 20th and 21st instant, although it is transcribed and dated as above.

In regard to the credit of Congress, it is certain that it will establish itself by degrees, on a solid footing. What greatly contributes to this is, the regular payment of the interest at the exact time it falls due, and especially the payment, in money, of the advances on the negotiation of two million of florins, which Congress had at its option to make in new bonds. It is even believed that the credit would have reached to a point, that encouragements might be given, with all assurances for further negotiations, if the English newspapers would cease to give accounts of the situation of affairs in America, well calculated to frighten the stockjobbers, and which are eagerly published by certain editors in their papers. These last persons belong to the faction of those who, by

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thwarting the efforts made in order to restore civil liberty in this country, imagine themselves that the continual reproduction of forms, representing popular insurrections and commotions, (which, according to them, take place in America) must disgust the minds of the people, of the idea of adopting a constitution, in which they would have an influence on the Government. Although there is no fear that those mischievous people will obtain their object, it is no less a pity that their artifices will make an impression on a number of ignorant persons, by making them think that, considering such troubles, such confusion, and such weakness, in the Government in America, it is not prudent to grant a large credit to that Government. It is possible to bring back those who are better informed, to sounder ideas, but not the stockjobbers who are more easily influenced by prejudice than by reason.

It is then, impossible to assert positively that a new negotiation could be effected, or to determine what might be the sum and the conditions of it. What adds to this uncertainty, and gives reason to fear that at any rate this condition would be very hard, is, that it is known here that the internal debt of Congress in America, can be bought at such *a price*, that the purchasers will find more profit than is granted to them here, while the security of this internal debt is as good as the external one.

What then, in my opinion, is best to be done, is to assume here the pretension of France, to the conditions which might be stipulated, accompanied by a small sacrifice on the part of that kingdom, with liberty to negotiate funds here for a limited number of years, upon the *credit of Congress*, and under the *guarantee*

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of France. This last condition, in which there is nothing but what would be honorable for Congress, would have an influence on the interest, which, in this case, could be obtained at a *lower* rate. Otherwise it could not be done in the present circumstances, on account of what has been mentioned above; and thus the time of payment, which will soon expire, might, in that way, be postponed, which, as it appears to me, will be very agreeable to Congress.

It is also believed, that the sacrifice that France would make by this, could not be any impediment in the way of doing it; as by this operation it could not fail of pouring in her treasury a considerable sum, which she would not be obliged to refund, and which would not become at the charge of the kingdom. Therefore, it is not expected that France will make the least difficulty to grant that guarantee, as that Court knows exactly the situation of American affairs, and that it is for its interest to maintain them.

If there is any inclination to adopt this plan, my friends will willingly begin to speak on that subject, and will examine then, the degree of possibility there is, to obtain the whole sum in a limited time, which is a point on which nothing can be done, in order to determine it; except by making overtures, and treating on that subject with other people. They think, that should the conditions be accepted, from three to four millions Dutch florins (from six to eight millions of livres tournois, or, from twelve to sixteen hundred thousand dollars) could promptly be found.

P. S. We had, before this, and under the seal of se-

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crecy, a conversation on that subject, with one of the most skilful men in this matter. He has absolutely confirmed our opinions; adding only, if any thing should be determined upon *promptly*, that the *sacrifice* in question would be *very small*, and even that it could be lessened by a diminution of the interest. The reason of this is, the present abundance of money; but as there may be a change in a short time, it is necessary to decide upon this as soon as possible.

Whilst reflecting upon all this on my journey, it has appeared to me, that your Excellency and the Marquis de la Fayette could (as the only point in question is, the purchasing the debt due to France) render a great service to France, as well as to the United States, by assisting and favoring this sale, in such a way, as to reserve to Congress, the *option* postponing, for a few years, the payment, without it being necessary that a time so valuable, and perhaps irrecoverable, should be lost, in order to consult Congress beforehand; as, in this manner, France being at liberty of selling or of endorsing the debt, for the purpose of filling its treasury, and Congress being likewise at liberty of profitting of the option, no injury whatever could be done to any one, the good opportunity would be improved, and every body would be assisted; as the *option* would be equal to the sum borrowed, and would even be more advantageous. If your Excellency approve my opinion, and will give me orders, after having conferred and agreed, if not officially, at least personally, with the French Ministers, I shall go immediately to Amsterdam, for the purpose of executing them, and I shall inform you of the name of the house which has

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been consulted, against which, I know already, that neither the said Ministers, nor your Excellency, will have any objection.

I am, with great respect, &c.

C. W. F. DUMAS.

Grace to the only God.

I, the underwritten, the servant of God, Taher Ben Abdelkack Fennish, do certify, that his Imperial Majesty, my master, (whom God preserve) having concluded a treaty of peace and commerce with the United States of America, has ordered me, the better to complete it, and in addition of the tenth article of said treaty, to declare "That if any vessel belonging to the United "States, shall be in any of the ports of his Majesty's "dominions, or within gun shot of his forts, she shall be "protected as much as possible; and no vessel, whatever, "belonging to Moorish or Christian powers, with whom "the United States may be at war, shall be permitted to "follow or engage her, as we now deem the citizens of "America our good friends."

And, in obedience to his Majesty's commands, I certify this declaration, by putting my hand and seal to it, on the eighteenth day of Ramadan, in the year one thousand two hundred.

The servant of the King, my master. (whom God preserve)

TAHER BEN ABDELKACK FENNISH.

I certify the above to be the translation made by Isaac

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Cardoza Nunez, interpreter at the Court of Morocco, of the annexed declaration, in Arabic, made by Taher Fennish, by order of the Emperor of Morocco, in addition and explanation of the tenth article of the treaty, between his Majesty and the United States of America.

TH: BARCLAY.

Madrid, December 4, 1786.

FROM THOMAS BARCLAY TO MESSRS. ADAMS AND JEFFERSON.

Alicant, January 6, 1787.

Gentlemen,

I have not had the pleasure of addressing you since my arrival at this place, being hitherto without any thing to say worth your attention.

Mr. Lamb had embarked for Minorca, before I got here; but as he is in correspondence with Mr. Montgomery, I was in hopes of learning through that channel, the possibility of our meeting, before I should return to France; a matter that I am of opinion might have been attended with some advantages.

But the letters which he has lately written held out nothing, and therefore I contented myself with writing to him the motives which induced me to come here, and am without expectation of seeing him. As the Spanish, Portuguese and Neapolitan Ministers were preparing to embark from Carthagena, I went and passed one day at that place, in hopes of learning something that might be useful, and took that opportunity of impressing on the mind of the Count d'Espilly, some matters that had before

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been talked over at Madrid and the Escurial, and I left him seemingly in the best disposition towards our people at Algiers, and very ready to obey the instructions concerning us, which the Count de Florida Blanca had given him. Since my return from Carthagena, I have received letters from thence informing me that the Count d'Espilly has orders from Court not to proceed to Algiers, without further instructions, as the plague is at Constantine, within fifty leagues of that place. But as it was lately reported that the Dey, who is very far advanced in years, was much indisposed, it is no ways improbable that this circumstance may have had its weight, for the knowledge of the plague being at Constantine is not new. It was even believed before I left Africa that the city of Bona was depopulated with that distemper. However this may be, I most sincerely wish the negotiations respecting our country could go hand in hand, with those of the European powers, for there is no doubt that when the Barbary States have made peace with them, they will turn all their views towards us, and if another capture or two be made, the terms of peace will be raised most extravagantly.

I shall make no apology to you, gentlemen, for the communicating whatever has occurred to me on this subject, and as it is probable I shall not have occasion again to resume it, I will now add that I know no American subject in Spain or France, (Mr. Jefferson is out of the question) so adequate to the task of negotiating at Algiers, as is Mr. Carmichael. I am perfectly convinced that when it is renewed, he ought, if possible, to undertake it; and I beg leave to recommend this hint to your serious consideration. I am sure Mr. Carmichael has no ob-

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jects under his care half so interesting, and if his situation will permit, he ought not to hesitate.

I wish much to know your sentiments of the treaty with Morocco, though it is not quite as good as I desire, it is as much so as I could make it. I beg you will favor me with your opinions when you are at leisure. The answer from Corunna is what I feared it would be, no ways decisive. It is two or three years since Mr. Carmichael endeavored to procure a settlement, and I much fear I shall be obliged to go and force one.

I am, with great respect, &c.

THOS. BARCLAY.

FROM THOMAS JEFFERSON TO JOHN JAY.

Paris, February 8, 1787.

Sir,

The packet being to sail the day after to-morrow, I have awaited the last possible moment of writing by her, in hopes I might be able to announce some favorable change in the situation of the Count de Vergennes, but none has occurred, and in the meantime he has become weaker by the continuance of his illness; though not desperately ill, he is dangerously so. The Comptroller General, M. de Calonne, has been very ill also, but he is getting well. These circumstances have occasioned the postponement of the *Assemblée des Notables* to the 14th instant, and will probably occasion a further postponement, as I shall set out this day sevennight for the waters of Aix, you will probably hear the issue of the Count de Vergennes' illness, through some other channel

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before I shall have the honor of addressing you again, I may observe the same as to the final decision for the enfranchisement of Honfleur, which is in a fair way of being speedily concluded. The exertions of Monsieur de Crevecoeur, and particularly his influence with the Duke d'Harcourt, the principal instrument in effecting it, have been of chief consequence iu this matter.

I am, with due respect, &c.

TH: JEFFERSON.

FROM JOHN JAY TO THOMAS JEFFERSON.

New York, April 25, 1787.

Dear Sir,

Since my last to you of the 9th February, I have been honored with yours of the 27th October, 12th November, 31st December, 9th January, and 1st and 8th February last, all of which, together with the papers that accompanied them, have been communicated to Congress; but neither on them, nor your preceding ones, have any instructions been, as yet, ordered; so that this letter, like many others, will not be very interesting.

It is greatly to be regretted, that communications to Congress are not kept more private. A variety of reasons, which must be obvious to you, oppose it; and while the federal sovereignty remains just as it is, little secrecy is to be expected. This circumstance must, undoubtedly, be a great restraint on those public and private characters from whom you would otherwise obtain useful hints and information. I, for my part, have long experienced the inconvenience of it, and in some instances very sensibly.

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The death of Count de Vergennes, of which Major Franks informed us, is to be lamented; and the more so, as the talents, industry and disposition towards us, of his successor, are uncertain. Who will take his place, is an important question to us as well as to France.

The Convention, of which you have been informed, will convene next month at Philadelphia. It is said that General Washington accepts his appointment to it, and will attend. I wish their councils may better our situation; but I am not sanguine in my expectations. There is reason to fear that our errors do not proceed from want of knowledge; and, therefore, that reason and public spirit will require the aid of calamity, to render their dictates effectual.

The insurrection in Massachusetts is suppressed, but the spirit of it exists, and has operated powerfully in the late election. Governor Bowdoin, whose conduct was upright, and received the approbation of the Legislature, is turned out, and Mr. Hancock is elected. Many respectable characters in both Houses, are displaced, and men of other principles and views elected. Perhaps these accounts are exaggerated. Perhaps Mr. Hancock will support his former character, and that the present Legislature will be zealous to maintain the rights of Government, as well as respect the wishes of the people. Time alone can ascertain these matters. The language, however, of such changes is not pleasant or promising.

For your information, I enclose a copy of certain resolutions of Congress, relative to infractions of the treaty of peace. How they will be received, or what effect they will have, I know not. Some of the States have gone so far in their deviations from the treaty, that I fear they

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will not easily be persuaded to tread back their steps; especially as the recommendations of Congress, like most other recommendations, are seldom efficient when opposed by interest. A mere Government of reason and persuasion is little adapted to the actual state of human nature in any age or country.

One of our five Indiamen, viz: an Albany sloop, returned, a few days ago, in four months from Canton; and I heard last evening, that one or two vessels are preparing at Boston for a voyage to the Isle of France. The enterprize of our countrymen is inconceivable, and the number of young swarms daily going down to settle in the western country, is a further proof of it. I fear that western country will, one day, give us trouble. To govern them will not be easy; and whether, after two or three generations, they will be fit to govern themselves, is a question that merits consideration. The progress of civilization, and the means of information, is very tardy, in sparse and separate settlements. I wish our differences with Spain, in that quarter, were well settled; but the maxim of *festina lente*, does not suit our southern sanguine politicians.

The English are making some important settlements on the river St. Lawrence, &c.' Many of our people go there. And it is said that Vermont is not greatly inclined to be the fourteenth State. Taxes and relaxed Governments agree but ill.

I have the honor to be, &c.

JOHN JAY.

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FROM THOMAS JEFFERSON TO M. DUMAS.

Paris, February 9, 1787.

Sir,

My last to you, was dated December the 25th, since which, I have been honored with your several favors of December the 29th, January the 5th, 9th and 23rd. I thought that your affairs could not be more interesting, than they have been for a considerable time; yet, in the present moment they are become more so, by the apparent withdrawing of so considerable a personage in the drama, as the King of Prussia. To increase this interest, another person, whose importance scarcely admits calculation, is in a situation which fills us with alarm. Nature is struggling to relieve him, by a decided gout; she has my sincere prayers to aid her, as I am persuaded she has yours. I have letters and papers from America, as late as the 15th of December. The government of Massachusetts had imprisoned three of the leaders of their insurgents. The insurgents being collected, to the number of three or four hundred, had sent in their petition to the government, praying another act of pardon for their leaders and themselves, and, on this condition, offering to go every man home, and conduct himself dutifully afterwards. This is the last intelligence.

I thank you for your attention to the question I had taken the liberty of proposing to you. I think with you, that it would be adviseable to have our debt transferred to individuals of your country. There could, and would be no objection to the guarantee remaining as you propose; and a postponement of the first payments of capital, would surely be a convenience to us. For though

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the resources of the United States are great and growing, and their dispositions good, yet their machine is new, and they have not got it to go well. It is the object of their general wish at present, and they are all in movement, to set it in a good train; but their movements are necessarily slow. They will surely effect it in the end, because all have the same end in view; the difficulty being, only to get all the thirteen States to agree on the same means. Divesting myself of every partiality, and speaking from that thorough knowledge, I have of the country, their resources and their principles, I had rather trust money in their hands, than in that of any government on earth, because, though for a while the payments of the interest might be less regular, yet the final reimbursement of the capital would be more sure.

I set out next week for the south of France, to try whether some mineral waters in that quarter, much recommended, will restore the use of my hand. I shall be absent from Paris two or three months; but I take arrangements for the regular receipt of your favors, as if I were here. It will be better, however, for you to put your letters to Mr. Jay, under cover to Mr. Short, who remains here, and will forward them.

I have thought it my duty to submit to Congress, the proposition about the French debt, and may expect their answer in four months.

Have the honor to be, &c.

TH: JEFFERSON.

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FROM THOMAS JEFFERSON TO JOHN JAY.

Paris, February 14, 1787.

Sir,

In the letter of the 8th instant, which I had the honor of writing you, I informed you that Count de Vergennes was dangerously ill. He died yesterday morning, and Count de Montmorin is appointed his successor. Your personal knowledge of this gentleman renders it unnecessary for me to say any thing of him.

Mr. Morris, during his office, being authorized to have the medals and swords executed, which had been ordered by Congress, he authorized Colonel Humphreys to take measures here for the execution. Colonel Humphreys did so, and the swords were finished in time for him to carry them. The medals not being finished, he desired me to attend to them. The workman who was to make that of General Greene, brought me yesterday, the medal in gold, twenty-three in copper, and the die. Mr. Short, during my absence, will avail himself of the first occasion which shall offer of forwarding the medals to you. I must beg leave, through you, to ask the pleasure of Congress, as to the number they would choose to have struck. Perhaps they might be willing to deposit one of each person, in every college of the United States. Perhaps they might choose to give a series of them to each of the crowned heads of Europe, which would be an acceptable present to them. They will be pleased to decide. In the meantime I have sealed up the die, and shall retain it till I am honored with their orders as to this medal, and the others also, when they shall be finished. With great respect and esteem, &c.

TH: JEFFERSON.

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FROM THOMAS JEFFERSON TO JOHN JAY.

Paris, February 14, 1787.

Sir,

In the letter of the 8th inst. which I had the honor of writing you, I informed you of the illness of the Count de Vergennes. In one of the present date, which I send by the way of London, I have notified to you his death, which happened yesterday morning, and that the Count de Montmorin is appointed his successor, with whose character you are personally acquainted. As the winds have been contrary for the sailing of the packet, and this may possibly reach Havre by post, in time to be put on board, I avail myself of that chance of conveying you the above information.

I have the honor to be, &c.

TH: JEFFERSON.

Report of John Jay to Congress.

Office for Foreign Affairs,
July 11, 1787.

The Secretary of the United States for the Department of Foreign Affairs, to whom was referred a letter from the honorable Mr. Jefferson of 14th February last. Reports:

Your Secretary presumes that the following paragraph in this letter gave occasion to its being referred to him, viz: "The workman who was to make that of General "Greene, brought me yesterday the medal in gold, twenty "three in copper and the die. I must beg leave through

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" you to ask the pleasure of Congress as to the number " they would choose to have struck. Perhaps they " might be willing to deposit one of each person, in every " College of the United States—perhaps they might " choose to give a series of them to each of the crowned " heads in Europe, which would be an acceptable pre- " sent to them. They will be pleased to decide. In " the meantime I have sealed up the die, and shall retain " it till I am honored with their orders as to this medal, " *and the others also* when they shall be finished."

As these medals were directed to be struck, in order to signalize and commemorate certain interesting events and conspicuous characters, the distribution of them should in his opinion be such, as may best conduce to that end.

He therefore thinks that both of Mr. Jefferson's hints should be improved, to wit, that a series of these medals should be presented to each of the crowned heads in Europe, and that one of each set be deposited, in each of the American Colleges. He presumes that Mr. Jefferson does not mean that any should be presented to the King of Great Britain: for it would not be delicate, nor that by crowned heads, he meant to exclude free States from the compliment, for to make discrimination would give offence.

In the judgment of your Secretary it would be proper to instruct Mr. Jefferson to present in the name of the United States, one silver medal of each denomination to every monarch, (except his Britannic Majesty) and to every sovereign and independent State without exception in Europe, and also to the Emperor of Morocco. That he also be instructed to send fifteen silver medals of each set to Congress, to be by them presented to the

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thirteen United States respectively, and also to the Emperor of China, with an explanation and a letter, and one to General Washington. That he also be instructed to present a copper medal of each denomination to each of the most distinguished Universities (except the British) in Europe, and also to the Count de Rochambeau, to Count d'Estaing and to Count de Grasse, and lastly, that he be instructed to send to Congress, two hundred copper ones of each set together with the dies.

Your Secretary thinks that of these it would be proper to present one to each of the American Colleges, one to the Marquis de la Fayette, and one to each of the other Major Generals who served in the late American army, and that the residue with the dies be deposited in the Secretary's office of the United States, subject to such future orders, as Congress may think proper to make respecting them.

It might be more magnificent to give golden medals to Sovereigns, silver ones to distinguished persons, and copper to the Colleges, &c., but in his opinion the nature of the American Governments, as well as the State of their finances will apologize for their declining the expense.

All which is submitted to the wisdom of Congress,

JOHN JAY.

FROM THOMAS JEFFERSON TO JOHN JAY.

Paris, February 23, 1787.

Sir,

The *Assemblée des Notables* being an event in the history of this country, which excites notice, I have

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supposed it would not be disagreeable to you to learn its immediate objects, though no ways connected with our interests. The assembly met yesterday, the King, in a short, but affectionate speech, informed them of his wish to consult with them on the plans he had digested, and on the general good of his people, and his desire to imitate the head of his family, Henry IV, whose memory is so dear to the nation. The *Garde des Sceaux* then spoke about twenty minutes, chiefly in compliment to the orders present. The Comptroller General, in a speech of about an hour, opened the budget, and enlarged on the several subjects, which will be under their deliberation. He explained the situation of the finances at his accession to office, the expense which their arrangement had rendered necessary, their present state, with the improvements made in them, the several plans which had been proposed for their further improvement, a change in the form of some of their taxes, the removal of the interior customhouses to the frontiers, and the institution of provincial assemblies. The assembly was then divided into committees, with a Prince of the blood at the head of each; in this form, they are to discuss, separately, the subjects which will be submitted to them, their decision will be reported by two members to the Minister, who, on view of the separate decisions of all the committees, will make such changes in his plans, as will best accommodate them to their views, without too much departing from his own, and will then submit them to the vote (but I believe not to the debate) of the general assembly, which will be convened for this purpose, one day in every week, and will vote individually.

The event of the Count de Vergennes' death, of

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which I had the honor to inform you in two letters of the 14th instant, the appointment of the Count de Montmorin, and the propriety of my attending at his first audience, which will be on the 27th, have retarded the journey, I had proposed, a few days. I shall hope, on my return, to meet here new powers for the Consular Convention, as, under those I have, it will be impossible to make the changes in the convention which may be wished for.

I have the honor to be, &c.

TH: JEFFERSON.

FROM JOHN JAY TO THOMAS JEFFERSON.

Office for Foreign Affairs,
July 24, 1787.

Dear Sir,

Since my letter to you of the 24th April, I have been honored with yours of 14th and 23rd of February last, and with two from Mr. Short, to whom I had the pleasure of writing on the 5th instant.

I have now the honor of transmitting to you herewith enclosed, the following papers:

A letter for the Emperor of Morocco, with a ratification of the treaty enclosed, and copies of both for your information.

This letter you will be so good as to forward by the first eligible opportunity, to Don Francisco Chiappe, American Agent at Morocco, to be by him presented to the Emperor.

A letter for Mr. Fennish, to be forwarded in like manner.

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A copy of an act of Congress of the 18th July, instant, authorizing you to redeem our unfortunate fellow-citizens at Algiers, in the manner which you suggested.

An ordinance for the government of the western country, passed the 13th instant.

The printed Journals of Congress from 6th November to 10th May last.

The late newspapers.

The other matters on which you have long had reason to expect instructions, are yet under consideration.

Chevalier Jones cannot have his affairs arranged in season for him to go in this packet. He will probably sail in the next; and I flatter myself with the pleasure of being enabled, by that time, if not sooner, to write you fully and satisfactorily. Nine States, for a long time past, have been but seldom represented in Congress, and hence, delays, much to be regretted, have taken place.

The Convention is sitting, but their proceedings are secret. Our Indian affairs in the west, still give us uneasiness, and so I fear they will continue to do, for reasons you will not be at a loss to conjecture. Our affairs in general, will admit of much melioration; and they will afford the Convention ample field for the display of their patriotism and talents.

I have the honor to be, &c.

JOHN JAY.

P. S. Congress, yesterday, passed a resolution approving Mr. Barclay's conduct in the negotiation with Morocco. They have likewise confirmed his appointment of Don Francisco Chiappe to be their agent at Morocco; Don Joseph Chiappe to be their agent at Maga-

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dore; and Don Girolomo Chiappe to be their agent at Tangier; with which agents, it is their desire that their Ministers at Versailles and London should regularly correspond. Want of time prevents my having and sending you certified copies of these acts by this opportunity. My next shall contain what may be necessary to say further on these subjects.

Extract from the Secret Journal of Foreign Affairs, July 18, 1787.

On a report of the Secretary of the United States for the Department of Foreign Affairs, to whom was referred a petition from Hannah Stephens praying that her husband be redeemed from captivity at Algiers; and also a letter from the honorable Thomas Jefferson proposing that a certain order of priests be employed for such purposes:

Resolved, That the honorable Thomas Jefferson, Esq. the Minister of the United States at the Court of Versailles, be and he hereby is, authorized to take such measures as he may deem most adviseable, for redeeming the American captives at Algiers, and at any expense not exceeding that, which European nations usually pay in like cases.

Resolved, That the Board of Treasury be and they hereby are directed, to provide ways and means for enabling Mr. Jefferson to defray the said expenses, either by remitting money from hence, or by a credit in Europe.

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FROM THOMAS JEFFERSON TO JOHN JAY.

Marseilles, May 4, 1787.

Sir,

I had the honor of receiving at Aix, your letter of 9th February, and immediately wrote to the Count de Montmorin, explaining the delay of the answer of Congress to the King's letter, and desired Mr. Short to deliver that answer, with my letter, to Monsieur de Montmorin, which he, accordingly, informs me he has done.

My absence prevented my noting to you in the first moment, the revolution which has taken place at Paris, in the Department of Finance, by the substitution of Monsieur de Fourqueaux, in the place of Monsieur de Calonne; so that you will have heard of it through other channels, before this will have the honor of reaching you.

Having staid at Aix long enough to prove the inefficacy of the waters, I came on to this place for the purpose of informing myself here, as I mean to do at the other sea-port towns, of whatever may be interesting to our commerce, so far as carried on in our bottoms. I find it almost nothing, and so it must probably remain, till something can be done with the Algerines; though severely afflicted with the plague, they have come out within these few days, and shewed themselves in force along the coast of Genoa, cannonading a little town and taking several vessels.

Among other objects of inquiry, this was the place to learn something more certain on the subject of rice, as it is a good emporium for that of the Levant, and of Italy. I wished particularly to know, whether it was the use of

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a different machine for cleaning, which brought European rice to market less broken than ours, as had been represented to me by those who deal in that article in Paris. I found several persons who has passed through the rice country of Italy, but not one who could explain to me the nature of the machine. But I was given to believe, that I might see it myself, immediately on entering Piedmont, as this would require but about three weeks, I determined to go and ascertain this point, as the chance only of placing our rice above all rivalship in quality, as it is in color, by the introduction of a better machine, if a better existed, seemed to justify the application of that much time to it. I found the rice country to be, in truth, Lombardy, one hundred miles further than had been represented, and that, though called Piedmont rice, not a grain is made in the country of Piedmont. I passed through the rice fields of the Vercellese and Milanese, about sixty miles, and returned from thence last night, having found that the machine is absolutely the same as ours, and of course we need not listen more to that suggestion. It is a difference in the species of grain, of which the government of Turin is so sensible, that, as I was informed, they prohibit the exportation of rough rice on pain of death. I have taken measures, however, for obtaining a quantity of it, which, I think, will not fail; and I bought, on the spot, a small parcel, which I have with me. As further details on this subject to Congress would be misplaced, I propose, on my return to Paris, to communicate them, and send the rice to the society at Charleston, for promoting agriculture; supposing that they will be best able to try the experiment of cultivating the rice of this quality, and to communicate

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the species to the two States of South Carolina and Georgia, if they find it answer. I thought the staple of these two States was entitled to this attention, and, that it must be desirable to them to be able to furnish rice of the two qualities demanded in Europe, especially, as the greater consumption is in the forms, for which the Lombardy quality is preferred. The mass of our countrymen being interested in agriculture, I hope I do not err in supposing, that in a time of profound peace as the present, to enable them to adopt their productions to the market, to point out markets for them, and endeavor to obtain favorable terms of reception, is within the line of my duty.

My journey into this part of the country, has procured me information which I will take the liberty of communicating to Congress. In October last I received a letter dated Montpelier, October 2nd, 1786, announcing to me that the writer was a foreigner, who had a matter of very great consequence to communicate to me, and desired I would indicate the channel through which it might pass safely. I did so. I received, soon after, a letter in the folowing words, omitting only the formal parts:

"I am a Brazilian, and you know that my unhappy "country groans under a most dreadful slavery, which "becomes more intolerable since the era of your glorious "independence—the barbarous Portuguese sparing no-"thing to make us unhappy, for fear that we should fol-"low your steps. And as we know that these usurpers "against the law of nature and of humanity, have no "other thoughts than of crushing us, we are determined to "follow the striking example which you have given us, "and consequently to break our chains, and to bring to life

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" liberty, which is now dead and oppressed by physical " force, which is the only power Europeans have over " America. But as Spain will not fail to join Portugal, " it is necessary that a nation should assist us. And not- " withstanding the advantages we have for defence, we " cannot do it, or at least it would not be prudent for us " to run any hazard, without being sure of success. Your " nation, sir, is, we think, that which should most suita- " bly assist us, because it is her that has given us the ex- " ample; and also, because nature has made us inhabit- " ants of the same continent, and has consequently con- " stituted us, in some sort, countrymen. We are ready, " on our part, to furnish all the funds that may be neces- " sary, and to show, at all times, our gratitude towards " our benefactors. This is the substance of my inten- " tions, and it is to fulfil this commission, that I am now " in France, as I could not do it in America without ex- " citing some suspicions. It is for you to judge if they " can be realized. And in case you should wish to con- " sult your nation on the subject, I am enabled to give " all the information that you may think necessary.

" Montpelier, 21 November."

As by this time I had been advised to try the waters of the Aix, I wrote to the gentleman my design, and that I should go off my road as far as Nismes, under the pretext of seeing the antiquities of that place, if he would meet me there. He met me, and the following is the sum of the information I received from him:

" Brazil contains as many inhabitants as Portugal. " They are, 1st, Portuguese; 2nd, native whites; 3rd, " black and mulatto slaves; 4th, Indians, civilized and " savages. 1st, the Portuguese are few in number, most-

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" ly married there, have lost sight of their native country,
" as well as the prospect of returning to it, and are dis-
" posed to become independent. 2nd, the native whites
" form the body of their nation. 3rd, the slaves are as
" numerous as the free. 4th, the civilized Indians have
" no energy, and the savage would not meddle. There
" are twenty thousand regular troops. Originally these
" were Portuguese, but as they died off, they were re-
" placed by the natives; so that these compose, at pre-
" sent, the mass of the troops, and may be counted on
" by their native country. The officers are partly Por-
" tuguese, partly Brazilian. Their bravery is not doubt-
" ed, and they understand the parade, but not the science
" of their profession. They have no bias for Portugal,
" but no energy neither for any thing. The priests are
" partly Portuguese, partly Brazilians, and will not in-
" terest themselves much. The Noblesse are scarcely
" known as such; they will in no manner be distinguish-
" ed from the people. The men of letters are those
" most desirous of a revolution. The people are not
" much under the influence of their priests. Most of
" them read and write, possess arms, and are in the habit
" of using them for hunting. The slaves will take the
" side of their masters. In short, as to the question of
" revolution, there is but one mind in that country. But
" there appears no person capable of conducting a revo-
" lution, or willing to venture himself at its head,
" without the aid of some powerful nation, as the
" people of their own might fail them. There is no
" printing press in Brazil. They consider the North
" American revolution as a precedent for theirs, they
" look to the United States, as most likely to give

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" them honest support, and from a variety of considera-
" tions have the strongest prejudices in our favor. This
" informant is a native and inhabitant of Rio Janeiro, the
" present metropolis, which contains 50,000 inhabitants,
" knows well St. Salvador, the former one, and the
" *mines d'or*, which are in the centre of the country;
" these are all for a revolution and constituting the body
" of the nation, the other parts will follow them. The
" King's fifth of the mines yield annually 13,000,000 of
" crusadores, or half dollars, he has the sole right of
" searching for diamonds and other precious stones,
" which yields him about half as much, his income alone
" then from these two resources, is about 10,000,000 of
" dollars annually; but the remaining parts of the pro-
" duce of the mines, being 26,000,000, might be count-
" ed on for effecting a revolution. Besides the arms in the
" hands of the people, there are public magazines, they
" have abundance of horses, but only a part of their
" country would admit the service of horse; they would
" want cannon, ammunition, ships, sailors, soldiers,
" and officers, for which they are disposed to look to the
" United States, always understood that every service and
" furniture will be well paid for. Corn costs about 20 *liv.*
" the 100lbs., they have flesh in the greatest abundance,
" insomuch that in some parts, they kill beaves for the
" skin only. The whale fishery is carried on by Brazil-
" ians altogether and not by Portuguese, but in very
" small vessels, so that the fishermen know nothing
" of managing a large ship, they would want of us
" at all times shipping, corn and salt fish. The latter
" is a great article, and they are at present supplied
" with it from Portugal. Portugal being without either

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" army or navy could not attempt an invasion under " a twelve month. Considering of what it would be " composed, it would not be much to be feared, and, " if they failed, they would probably never attempt a " second, indeed this source of their wealth being inter- " cepted, they are scarcely capable of a first effort, the " thinking part of the nation are so sensible of this, that " they consider an early separation inevitable. There is " an implacable hatred between the Brazilians and Por- " tuguese, to reconcile which, a former Minister adopted " the policy of letting the Brazilians into a participation " of public offices, but subsequent administrations have " reverted to the ancient policy of keeping the administra- " tion in the hands of native Portuguese; there is a mixture " of natives of the old appointments still remaining in " office. If Spain should invade them on their Southern " extremities, these are so distant from the body of their " settlements that they could not penetrate thence, and " Spanish enterprise is not formidable. The *mines d'or* " are among mountains inaccessible to any army, and " Rio Janeiro is considered as the strongest port in the " world after Gibraltar. In case of a successful revolution " a republican government in a single body would proba- " bly be established."

I took care to impress on him through the whole of our conversation, that I had neither instructions nor authority to say a word to any body on this subject, and that I could only give him my own ideas as a single individual, which were that we were not in a condition at present, to meddle nationally in any war; that we wished particularly to cultivate the friendship of Portugal, with whom we have an advantageous commerce, that

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yet a successful revolution in Brazil could not be uninteresting to us; that prospects of lucre might possibly draw numbers of individuals to their aid, and purer motives our officers, among whom are many excellent; that our citizens being free to leave their own country individually, without the consent of their government, are equally free to go to any other.

A little before I received the first letter of the Brazilian, a gentleman informed me there was a Mexican in Paris, who wished to have some conversation with me; he accordingly called on me, the substance of the information I drew from him, was as follows: He is himself a native of Mexico, where his relations are, principally; he left it about seventeen years of age, and seems now to be about thirty-three or thirty-four; he classes and characterizes the inhabitants of the country as follows: 1st. The natives of old Spain, possessed of most of the offices of government, and firmly attached to it. 2nd. The clergy, equally attached to the government. 3rd. The natives of Mexico, generally disposed to revolt, but without instruction, without energy, and much under the dominion of their priests. 4th. The slaves, mulatto and black, the former, enterprising and intelligent, the latter, brave, and of very important weight, into whatever scale they throw themselves; but he thinks they will side with their masters. 5th. The conquered Indians, cowardly, not likely to take any side, nor important which. 6th. The free Indians, brave and formidable, should they interfere, but not likely to do so, as being at a great distance. I asked him the numbers of these several classes, but he could not give them; the first, he thought very inconsiderable; that the second

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formed the body of the freemen; the third equal to the two first; the fourth to all the preceding; and, as to the fifth, he could form no idea of their proportion; indeed, it appeared to me, that his conjectures as to the others, were on loose grounds. He said, he knew from good information, there were 300,000 inhabitants in the city of Mexico. I was still more cautious with him than with the Brazilian, mentioning it as my private opinion, (unauthorized to say a word on the subject otherwise,) that a successful revolution was still at a distance with them; that I feared they must begin by enlightening and emancipating the minds of their people; that, as to us, if Spain should give us advantageous terms of commerce and remove other difficulties, it was not probable that we should relinquish certain and present advantages, though smaller, to uncertain and future ones, however good. I was lead into this caution, by observing that this gentleman was intimate at the Spanish Ambassador's, and that he was then taken to Paris, employed by Spain to settle her boundaries with France on the Pyrenees; he has much the air of candor, but that can be borrowed, so that I was not able to decide about him in my own mind.

Led by a unity of subject, and a desire to give Congress as general a view of the dispositions of our southern countrymen, as my information enables me, I will add an article, which, old and insulated, I did not think important enough to mention at the time I received it. You will remember, sir, that, during the late war, the British papers often gave details of a rebellion in Peru; the character of those papers discredited the information, but the truth was, that the insurrections were so general, that the event was long on the poise. Had Commodore

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Johnson, then expected on that coast, touched and landed there two thousand men, the dominion of Spain in that country was at an end; they only wanted a point of union, which this body would have constituted; not having this, they acted without concert, and were at length subdued, separately. This conflagration was quenched in blood, two hundred thousand souls on both sides having perished, but the remaining matter is very capable of combustion. I have this information from a person who was on the spot at the time, and whose good faith, understanding and means of information, leave no doubt of the facts; he observed, however, that the numbers above supposed to have perished, were on such conjectures only as he could collect.

I trouble Congress with these details, because, however distant we may be, both in condition and dispositions, from taking an active part in any commotions in that country, nature has placed it too near us to make its movements altogether indifferent to our interests or to our curiosity.

I hear of another *arrêt* of this Court, increasing the duties on foreign stock fish, and the premiums on their own, imported into their Islands, but not having yet seen it, I can say nothing certain on it. I am in hopes the effect of this policy will be defeated by the practice which I am told takes place on the bank of Newfoundland, of putting our fish into the French fishing boats, and the parties sharing the premium, instead of ours paying the duty.

I am in hopes Mr. Short will be able to send you the medals of General Gates by this packet. I await a gen-

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eral instruction as to these medals. The academies of Europe will be much gratified to receive each a set.

I propose to set out the day after to-morrow for Bourdeaux, (by the canal of Languedoc,) Nantes, L'Orient, and Paris.

I have the honor to be, &c.

TH: JEFFERSON.

FROM THOMAS JEFFERSON TO WILLIAM CARMICHAEL.

Paris, June 14, 1787.

Dear Sir,

Having got back to Paris three days ago, I resume immediately the correspondence, with which you have been pleased to honor me. I wish I could have begun it with more agreeable information than that furnished me by M. Grand, that the funds of the United States here are exhausted, and himself considerably in advance; and by the Board of Treasury at New York, that they have no immediate prospect of furnishing supplies. We are thus left to shift for ourselves, without previous warning. As soon as they shall replenish Mr. Grand's hands, I will give you notice, that you may recommence your usual drafts on him; unless the Board should provide a separate fund for you, dependant on yourself alone, which I strongly and repeatedly pressed on them, in order to remove the indecency of suffering your drafts to pass through any intermediate hand for payment.

My letters from America come down to the 24th of April. The disturbances in the eastern States were entirely settled. I do not learn that the Government had

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made any examples. Mr. Hancock's health being re-established, the want of which had occasioned him to resign the Government of Massachusetts, he has been re-elected to the exclusion of Governor Bowdoin. New York still refuses to pass the impost in any form, and were she to pass it, Pennsylvania will not uncouple it from the supplementary funds. These two States, and Virginia, are the only ones, my letter says, which have paid any thing into the Continental Treasury, for a twelve month past. I send you a copy of a circular letter from Congress to the several States, insisting on their removing all obstructions to the recovery of British debts. This was hurried, that it might be delivered to the Assembly of New York, before they rose. It was delivered, but they did nothing in consequence of it. The Convention to be assembled at Philadelphia will be an able one. Ten States were known to have appointed delegates. Massachusetts was about to appoint; Connecticut was doubtful; and Rhode Island had refused. We are sure, however, of eleven States. South Carolina has prohibited the importation of slaves for three years; which is a step towards a perpetual prohibition. Between six and seven hundred thousand acres of land are actually surveyed into townships, and the sales are to begin immediately. They are not to be sold for less than a dollar the acre, in public certificates. I wrote you from Bourdeaux, on the subject of Colonel Smith. I was sorry I missed him there, for other reasons as well as from a curiosity to know his errand. The Notables have laid the foundation for much good here: you have seen it detailed in the public papers. The Prince of Wales is likely to recover from his illness, which was very threat-

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ening. It is feared that three powers have combined to lift the Prince of Orange out of his difficulties. Have you yet the cypher of which I formerly wrote to you, or any copy of it?

I am, &c.

TH: JEFFERSON.

FROM THOMAS JEFFERSON TO JOHN JAY.

Paris, June 21, 1787.

Sir,

I had the honor of addressing you in a letter of May 4th, from Marseilles, which was to have gone by the last packet, but it arrived a few hours too late for that conveyance, and has been committed to a private one passing through England, with a promise that it should go through no Post-Office.

I was desirous, while at the sea ports, to obtain a list of the American vessels, which have come to them since the peace, in order to estimate their comparative importance to us, as well as the general amount of our commerce with this country, so far as carried on in our own bottoms. At Marseilles, I found there had been thirty two since that period; at Cette not a single one; at Bayonne, one of our free ports, only one; this last article I learnt from other information, not having visited that place, as it would have been a deviation, from my route, too considerable for the importance of the object; at Bourdeaux, Nantes, and L'Orient, I could not obtain lists in the moment: but am in hopes I shall be able to get them ere long, though more important to us, they

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will probably be more imperfect than that of Marseilles; at Nantes I began with Mr. Dobrée an arrangement of his claims. I visited the military stores which have been detained there so long, opened some boxes of each kind, and found the state of their contents much better than had been represented, an exact list of the articles is to be sent me; in the meantime the following is near the truth.

24 cases of gun locks; 6 cases of gun barrels; 65 cases of old bayonets; locks and furniture of 3,100 fire arms of various kinds, taken from the peasants of Bourdeaux, when they were deprived of the *droit de chasse*, and purchased by Mr. Deane, the above are broken, eaten up with rust and worth nothing; 15,000 pieces of walnut for gun stocks very good; 30 cases of muskets from Holland, about 27 in each chest, say about 700 muskets with their bayonets, good of their form, but not of the best form, in such condition that they will need only such a cleaning as the soldier himself, can give; 21 cases of sabres, from Holland, about 63 in each case, say about 1300 in good condition; 18 hogsheads of gun flints; 10 anchors weighing in the whole about 21,500lbs. But we must deduct about 1-5 from the muskets and sabres, because there are in the warehouses five tiers of cases, the bottom one of which having been partly under water, during an inundation of the Loire, that whole tier may be considered as lost; another deduction will be warehouse rent, 600 *liv.* a year from the year 1782, still they remain an object of too much value to be abandoned, if they can be withdrawn by mutual consent, without any notice of their having been in the hands of justice. Mr. Dobrée appears to be so reasonable, that I am in hopes this may

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be done. The importations into L'Orient of other fish oils, besides those of the whale, brought to my notice there, a defect in the letter of M. de Calonne of October 22, which letter was formerly communicated to you. In that *whale oil* only was named, the other fish oils, therefore have continued to pay the old duties. In a conference with Mons. de Villedeuil, the present Comptroller General, since my return, I proposed the extending the exemption to all *fish oils*, according to the letter of the Hanseatic treaty, which had formed the basis of the regulations respecting us. I think this will be agreed to. The delays of office first, the illness of M. de Calonne, and lastly his removal, and the throng of business occasioned by the *Assemblée des Notables*, have prevented the reducing the substance of the letter into the form of an *arrêt* as yet, though I continued soliciting it as much as circumstances would bear. I am now promised that it shall be done immediately, and that it shall be so far retrospective as to the date of the letter, as that all duties paid since that, shall be refunded.

Though we are too little concerned in the proceedings of the *Assemblée des Notables*, to render minute details of them desirable to Congress, yet I suppose a general view, now that the Assembly is closed and their measures fixed, may be acceptable.

The deficiency of the public revenues, compared with the public expenses, was become so considerable, that it was evident some of the wheels of Government must stop, unless they could be relieved. Continual borrowings in time of profound peace, could not be proposed, and a new tax, under the same circumstances, might crush the Minister, unless he could procure a powerful

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support. He proposed, therefore, the calling an *Assemblée des Notables;* he proffered them an universal redress of grievance, laid open those grievances fully, pointed out sound remedies, and covering his canvass with objects of this magnitude, the demand of money became a little accessary, scarcely attracting attention. The persons chosen were the most able and independent characters in the kingdom, and their support, if it could be obtained, would be enough for him. They improved the occasion of redressing their grievances, and agreed that the public wants should be relieved, but went into an examination of the causes of them. It is supposed Monsieur de Calonne was conscious his accounts could not bear examination; and it is said and believed that he asked of the King to send four members to the Bastile, of whom the Marquis de Lafayette was one, to banish twenty others and two of his Ministers. The King found it shorter to banish him. His successor went on in full concert with the Assembly. The result has been an augmentation in the revenue, a promise of economies in its expenditure, of an annual settlement of the public accounts before a council, which the Comptroller having been heretofore obliged to settle only with the King in person—of course never settled at all. Of the abolition of the *Corvées;* reformation of the *Gabelles;* suppression of interior customhouses; free commerce of grain, internal and external; and the establishment of provincial assemblies; which, altogether, constitute a vast mass of improvement in the condition of this nation. The establishment of provincial assemblies is a fundamental improvement. They will be of the choice of the people, one-third renewed every year. In those provinces

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where there are no States, that is to say over about three-fourths of the kingdom, they will be partly an executive themselves, partly an executive council to the Intendant, to whom the executive power, in his province, has been heretofore entirely delegated. Chosen by the people, they will soften the execution of hard laws, and having a right of representation to King, they will censure bad laws, suggest good ones, expose abuses, and their representations, when united, will command respect. To the other advantages may be added, the precedent itself of calling the Assembly of Notables, which may perhaps grow into habit. The hope is, that the improvements thus promised will be carried into effect—that they will be maintained during the present reign, and that will be long enough for them to take some root in the constitution, so as they may become to be considered a part of that, and be protected by time and the attachment of the nation. The new accession of the Ministry is valued here; good is hoped from the Archbishop of Thoulouse, who succeeds the Count de Vergennes as *chef du Conseil de finance*. M. de Villedeuil, the Comptroller General, has been approved by the public in offices he has heretofore exercised. The Duke de Nivernois, called to the Council, is reckoned good, an able man, and M. de Malsherbes, called to the Council, is unquestionably the first character in the Kingdom for integrity, patriotism, knowledge and experience in business. There is a fear that the Mareschal de Castries is disposed to retire.

The face of things in Europe is a little turbid at present; but probably all will subside. The Empress of Russia, it is supposed, will not push her pretensions against the Turks to actual war, weighing the fondness

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of the Emperor for innovation against his want of perseverance. It is difficult to calculate what he will do with his discontented subjects in Brabant and Flanders. If those provinces alone were concerned, he would probably give back, but this would induce an opposition to his plans in all his other dominions. Perhaps he may be able to find a compromise. The cause of the patriots in Holland is a little clouded at present. England and Prussia seem disposed to interpose effectually. The former has actually ordered a fleet of six sail of the line, northwardly, under Gore, and the latter threatens to put his troops into motion, the danger of losing such a weight in their scale, as that of Prussia, would occasion this court to prefer conciliation to war, add to this the distress of their finances, and perhaps not so warm a zeal in the new Ministry, for the innovations in Holland. I hardly believe they will think it worth while to purchase the change of constitution proposed there at the expense of a war; but of these things you will receive more particular and more certain details from Mr. Dumas, to whom they belong.

Mr. Eden is appointed Ambassador from England to Madrid. To the hatred borne us by his Court and country, is added a recollection of the circumstances of the unsuccessful embassy to America, of which he made a part, so, that I think he will carry to Madrid, dispositions to do us all the ill he can.

The late change in the Ministry is very favorable to the prospects of the Chevalier de la Luzerne, the Count de Montmorin, Monsieur de Malsherbes and Monsieur de Lamoignon, the *Garde des Sceaux*, are his near relations; probably something will be done for him without

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delay. The promise of the former administration, to the Count de Moustier to succeed to his vacancy, should it take place, will probably be performed by the present one.

Mr. Barclay has probably informed you of his having been arrested in Bourdeaux, for a debt contracted in the way of his commerce; he immediately applied to the parliament of that place, who ordered his discharge, this took place after five days actual imprisonment. I arrived at Bourdeaux a few days after his liberation; as the Procureur General of the King had interested himself to obtain it, with uncommon zeal, and that too on public principles, I thought it my duty to wait on him, and return him my thanks; I did the same to the President of the Parliament, for the body over which he presided. What would have been an insult in America, being an indispensable duty here. You will see by the enclosed printed paper, on what ground the Procureur insisted on Mr. Barclay's liberation; those on which the Parliament ordered it are not expressed. On my arrival here, I spoke with the Minister on the subject; he observed, that the character of Consul is no protection in this country against process for debt; that, as to the character with which Mr. Barclay had been invested at the Court of Morocco, it was questionable, whether it could be placed on the diplomatic line, as it had not been derived immediately from Congress; that, if it were, it would have covered him to Paris only, where he had received his commission, had he proceeded directly thither, but that his long stay at Bourdeaux, must be considered as terminating it there. I observed to him, that Mr. Barclay had been arrested almost immediately on his arrival

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at Bourdeaux, but he says, that arrest was made void by the Parliament, and still he has continued there several weeks; true, I replied, but his adversaries declared they would arrest him again the moment he should be out of the jurisdiction of the Parliament of Bourdeaux, and have actually engaged the *Marechaussée* on the road, to do it; this seemed to impress him; he said he could obtain a letter of *sauf conduit*, which would protect him to Paris, but, that immediately on his arrival here, he would be liable to arrest. I asked him if such a letter could not be obtained to protect him to Paris and back to Bourdeaux, and even to America? He said, that for that, the consent of the greater part of his creditors would be necessary, and even with this, it was very doubtful whether it could be obtained. Still, if I would furnish him with that consent, he would do what should depend on him. I am persuaded he will, and have written to Mr. Barclay to obtain the consent of his creditors. This is the footing on which this matter stands at present. I have stated it thus particularly, that you may know the truth, which will probably be misrepresented in the English papers, to the prejudice of Mr. Barclay. This matter has been a great affliction to him, but no dishonor, where its true state is known; indeed, he is incapable of doing any thing not strictly honorable.

In a letter of August 30th, 1785, I had the honor of mentioning to you what had passed here on the subject of a convention for the regulation of the two post offices. I now enclose you a letter from the Baron Dogny, who is at the head of that department, which shews that he still expects some arrangements. I have heard it said, that M. de Crevecoeur is authorized to treat on this sub-

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ject, you doubtless know if this be true. The articles may certainly be better adjusted there than here, this letter from the Baron Dogny, was in consequence of an application from a servant of mine, during my absence, which would not have been made, had I been here, nor will it be repeated, it being my opinion and practice to pay small sums of money, rather than to ask favors.

I have the honor to enclose you, also, copies of a letter and papers from the M. de Castries, on the claim of an individual against the State of South Carolina, for services performed on board the Indian, and the petition of another, on a like claim, also, copies of letters received from O'Bryen, at Algiers, and from Mr. Lamb. A letter of the 26th of May, from Mr. Montgomery, at Alicant, informs me, that by a vessel arrived at Carthagena, from Algiers, they learn the death of the Dey of that Republic, yet, as we hear nothing of it through any other channel, it may be doubted. It escaped me at the time of my departure to Aix, to make arrangements for sending you the gazettes regularly by the packets, the whole are now sent, though a great part of them are so old as not to be worth perusal. Your favor of April 24th, has been duly received.

I have the honor to be, &c.

TH: JEFFERSON.

FROM JOHN LAMB TO THOMAS JEFFERSON.

Alicant Bay, May 20, 1787.

I received your Excellency's letter concerning the cypher. The vessel that I am in here is bound to America

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and does not take *pratique*, and all papers are so defaced with vinegar, that it will be impossible to get the cypher sound to hands where it is ordered, therefore I must deliver the same to Congress, who can dispose of it at their pleasure. I am unhappy it is so circumstanced. I hope by this time that your Excellency is fully persuaded of the villainy of that man D'Espilly, whom I have often warned you of before this, his letters have been too freely handed to your Excellency and to Congress likewise, for the benefit of our peace at Algiers; I most heartily, hope Congress will not be led to thank a man, who was turned out of Algiers for the most atrocious crimes, and some say confined at present, and of which I doubt not the truth. If your Excellency can come at the truth from Madrid, I am of opinion that you will think as I do on the subject. I add that we have not had a worse enemy than the abovementioned D'Espilly. How far he deceived Mr. Carmichael, whilst he was holding him up to our public view, I cannot pretend to say; but Mr. Carmichael was not deceived in the man. He had a desire to baffle my efforts, whilst on my late mission, to make room for a more favorable plan. I can give your Excellency no news at present, but that the number of our wretched people in Algiers is reduced by the plague; unhappy men, indeed. I have had a very disagreeable winter; but am something recruited. I hope to be at Congress by the beginning of August next. I am exceedingly sorry that Mr. Barclay missed me, he writes me that he had authority to settle my accounts.

I am, &c.

JOHN LAMB.

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FROM JOHN JAY TO THOMAS JEFFERSON.

New York, September 8, 1787.

Dear Sir,

I had flattered myself that Chevalier Jones would have been prepared to go in the French packet, which is to sail the day after to-morrow; but certain circumstances make it necessary for him to postpone his departure to some future opportunity. It seems also that Mr. Jarvis, who had given me notice of his intention of taking his passage in the packet, finds it convenient to remain here until the first of next month.

On the 27th July last, I had the honor of writing you that further despatches on subjects touched in your letters would be transmitted, and I flatter myself that the reasons, which have hitherto delayed them, will soon cease. Your letters of the 4th May and 21st June have since arrived, and been communicated to the President of Congress. Since their arrival, a quorum of the States has not been represented, so that as yet, they have not been laid before Congress, and consequently have not given occasion to any acts or instructions. I read them with pleasure, for in my opinion, they do honor to the writer.

You will find herewith enclosed an act of Congress of the 27th July, containing the instructions you requested respecting the medals; and also a copy of a letter from me to the President of Congress, covering one I had received from the Governor of Rhode Island, respecting the seizure and condemnation of a vessel of that State at Tobago. These papers speak for themselves and therefore, do not require explanation or comments. The en-

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closed letter for Mr. Pauly is from General Varnum on that subject.

The Convention will probably rise next week, and their proceedings will probably cause, not only much consideration, but also much discussion, debate and perhaps heat; for as *docti indoctique scribimus* so *docti indoctique*, disinterested patriots and interested politicians will sit in council and in judgment, both within and without doors. There is nevertheless a degree of intelligence and information in the mass of our people, which affords much room for hope, that by degrees, our affairs will assume a more consistent and pleasing aspect. For my own part, I have long found myself in an awkward situation, seeing much to be done and enabled to do very little. All we can do is to persevere, if good results, our labor will not be in vain, if not, we shall have done our duty, and that reflection is valuable.

With the best wishes for your health and happiness, and with very sincere esteem and regard,

I am, with great respect, &c.

JOHN JAY.

Report of John Jay to Congress.

Office for Foreign Affairs,
October 12, 1787.

The Secretary of the United States for the Department of Foreign Affairs, to whom was referred a letter of 21st June last, from Mr Jefferson, respecting the arrest of the American Consul in France, the proposed Post Office Convention, and the claims of certain individuals against South Carolina, Reports:

That his report of the 26th September last, on the

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petition of Messrs. French and Nephew, at whose suit the Consul was arrested, expresses the opinion of your Secretary on the legality of that arrest; and he still thinks that no Consuls should be exempt from suits and arrests for their own proper debts.

But, as the arrest and imprisonment of an American Consul General, is a circumstance which must hurt the feelings of the United States, and in some degree wound their dignity, it may be proper to inquire what measures it would be proper to take on this occasion.

He thinks it would be advisable to pass the resolution recommended in the above mentioned reports, declaring that all American Consuls in foreign parts, and all foreign Consuls here, are liable to arrests, &c.

That your Secretary should, in an informal manner, intimate to the Consul General in question, that his arrest and imprisonment have given Congress much concern, both on his account, and that of the United States. That they wish he would endeavor so to settle with his creditors, as that he may return to France early in the spring, without any risk of the like treatment in future. That, although his character and services will always induce Congress to regret every circumstance that may hurt, either his feelings or his fortune, yet, that the respect due to the dignity of the United States has also strong claims to their attention and care.

Your Secretary thinks it is his duty to inform Congress, that, as well from the opinion of Mr. Jefferson, as from other circumstances, he has reason to believe that the conduct of the Consul, respecting his creditors, has not merited the harsh treatment he has received from them.

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As to the proposed Post Office Convention, your Secretary refers to his reports of the 21st of February, and 29th March, 1786, which are now before Congress.

As to the claims of certain individuals against the State of South Carolina, your Secretary thinks that an extract from Mr. Jefferson's letter on that subject, together with copies of the papers which he enclosed relative to it, should be transmitted to the State of South Carolina, in order that such measures may thereupon be taken, as the good faith of that State, and the justice due to the individuals in question, may appear to dictate.

All which is submitted to the wisdom of Congress.

JOHN JAY.

FROM THOMAS JEFFERSON TO JOHN ADAMS.

Paris, July 1, 1787.

Sir,

I returned about three weeks ago from a very useless voyage; useless, I mean, as to the object which first suggested it, that of trying the effect of the mineral waters of Aix, in Provence, on my hand. I tried these, because recommended among six or eight others as equally beneficial, and because they would place me at the beginning of a tour to the seaports of Marseilles, Bourdeaux, Nantes and L'Orient, which I had long meditated, in hopes that a knowledge of the places and persons concerned in our commerce, and the information to be got from them, might enable me sometimes to be useful. I had expected to satisfy myself at Marseilles, of the causes of the difference of quality between the rice of Carolina

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and that of Piedmont, which is brought in quantities to Marseilles. Not being able to do it, I made an excursion of three weeks into the rice country beyond the Alps, going through it from Urcelli to Pavia, about sixteen miles. I found the difference to be, not in the management, as had been supposed both here and in Carolina, but in the species of rice; and I hope to enable them in Carolina, to begin the cultivation of the Piedmont rice, and carry it on, hand in hand, with their own, that they may supply both qualities, which is absolutely necessary at this market. I had before endeavored to lead the depôt of rice from Cowes to Honfleur, and hope to get it received there on such terms, as may draw that branch of commerce from England to this country. It is an object of two hundred and fifty thousand guineas a year. While passing through the towns of Turin, Milan and Genoa, I satisfied myself of the practicability of introducing our whale oil for their consumption, and suppose it would be equally so, in the other great cities of that country. I was sorry that I was not authorized to set the matter on foot. The merchants with whom I chose to ask conferences, met me freely, and communicated fully, knowing I was in a public character. I could, however, only prepare a disposition to meet our oil merchants. On the article of tobacco, I was more in possession of my ground; and put matters into a train, for inducing their government to draw their tobaccoes directly from the United States, and not, as heretofore, from Great Britain. I am now occupied with the new ministry here, to put the concluding hand to the new regulations for our commerce with this country, announced in the letter of Monsieur de Calonne, which I sent you last fall. I am in

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hopes, in addition to those, to obtain a suppression of the duties on tar, pitch, and turpentine, and an extension of the privileges of American *whale* oil, to their *fish* oils in general. I find that the quantity of cod fish oil brought to L'Orient, is considerable. This being got off hand (which will be in a few days) the chicaneries and vexations of the Farmers on the article of tobacco, and their elusions of the order of Bernis, called for the next attention. I have reasons to hope good dispositions in the new Ministry, towards our commerce with this country. Besides endeavoring, on all occasions, to multiply the points of contact and connexion with this country, which I consider as our surest mainstay under every event. I have had it much at heart, to remove from between us, every subject of misunderstanding or irritation. Our debts to the King, to the officers, and the Farmers, are of this description. The having complied with no part of our engagements in these, draws on us a great deal of censure, and occasioned a language in the *Assemblée des Notables*, very likely to produce dissatisfaction between us. Dumas being on the spot in Holland, I had asked of him some time ago, in confidence, his opinion of the practicability of transferring these debts from France to Holland, and communicated his answer to Congress, pressing them to get you to go over to Holland, and try to effect this business. Your knowledge of the ground and former successes, occasioned me to take the liberty without consulting you, because I was sure you would not weigh your personal trouble against public good. I have had no answer from Congress; but hearing of your journey to Holland, have hoped that some money operation had led you there. If

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it related to the debts of this country, I would ask a communication of what you think yourself at liberty to communicate, as it might change the form of my answers to the eternal applications I receive. The debt to the officers of France carries an interest of about two thousand guineas, so we may suppose its principal is between thirty and forty thousand. This makes more noise against us, than all our other debts put together.

I send you the *arrêts* which begin the reformation here, and some other publications respecting America; together with copies of letters received from O'Bryen and Lamb. It is believed that a naval armament has been ordered at Brest, in correspondence with that of England. We know certainly that orders are given to form a camp in the neighborhood of Brabant, and that Count Rochambeau has the command of it. Its amount, I cannot assert; report says fifteen thousand men. This will derange the plans of economy. I take the liberty of putting under your cover, a letter for Mrs. Kinloch of South Carolina, with a packet, and will trouble you to inquire for her, and have them delivered. The packet is of great consequence, and therefore referred to her care, as she will know the safe opportunities of conveying it. Should you not be able to find her, and can forward the packet to its address by any safe conveyance, I will beg you to do it.

I have the honor to be, &c.

TH: JEFFERSON.

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FROM THOMAS JEFFERSON TO THOMAS BARCLAY.

Paris, August 3, 1787.

Sir,

I am now to acknowledge the receipt of your several favors of June the 29th, and July the 6th and 8th.

I am of opinion that the affair of Grand and Roland in Holland, had better be committed to M. Dumas, in Holland, as lawsuits must always be attended to by some person on the spot. For the same reason, I think that of La Vayse and Puchelberg, should be managed by the agent at L'Orient, and Gruel's by the agent at Nantes. I shall always be ready to assist the agents at L'Orient and Nantes, in any way in my power; but were the details to be left to me, they would languish necessarily, on account of my distance from the place, and perhaps suffer too, for want of verbal consultations with the lawyers entrusted with them. You are now with Congress; and can take their orders on the subject. I shall, therefore, do nothing in these matters, in reliance that you will put them in such channel as they direct, furnishing the necessary documents and explanations.

* * * * * *

With respect to French's affair, being perfectly satisfied myself, I have not ceased, nor shall I cease, endeavoring to satisfy others, that your conduct has been that of an honest and honorable debtor, and theirs the counterpart of Shylock in the play. I enclose you a letter, containing my testimony on your general conduct, which I have written to relieve a debt of justice pressing on my mind, well knowing at the same time, you will not stand in need of it in America. Your conduct is too

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well known to Congress, your character to all the world, to need any testimonials.

The moment I close my despatches for the packet, which will be the 9th instant, I shall, with great pleasure, go to pay my respects to Mrs. Barclay, at St. Germain's, to satisfy her on the subject of your transactions, and to assure her that my resources shall be hers, as long as I have any. A multitude of letters to write, prevents my entering into the field of public news, further than to observe, that it is extremely doubtful whether the affairs of Holland will, or will not produce a war between France, on one side, and England and Prussia, on the other.

I beg you to accept assurances of the sincere esteem and respect, with which

I have the honor to be &c.

TH: JEFFERSON.

FROM THOMAS JEFFERSON TO JOHN JAY.

Paris, August 6, 1787.

Sir,

The last letter I had the honor of addressing you was dated June 21st. I have now that of enclosing you a letter from the Swedish Ambassador praying that inquiry may be made for a vessel of his nation piratically carried off, and measures taken relative to the vessel, cargo and crew, also a letter from William Russell and others, citizens of America, concerned in trade to the Island of Guadaloupe, addressed to the Mareschal de Castries, and complaining of the shutting to them the port of Point a

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Petre, and receiving them only at Basse-terre. This was enclosed to me by the subscribers to be delivered to the Mareschal de Castries, but the present is not the moment to move in that business, and moreover, I suppose that wherever parties are within the reach of Congress, they should apply to them, and my instructions come through that channel; matters arising within the kingdom of France, to which my commission is limited, and not admitting time to take the orders of Congress, I suppose I may move in originally. I also enclose you a copy of a letter from Mr. Barclay, closing his proceedings in our affairs with Morocco. Before this reaches you, he will have had the honor of presenting himself to you in person. After his departure, the Parliament of Bourdeaux decided that he was liable to arrest. This was done on a letter from the Minister, informing them that Mr. Barclay was vested with no character, which privileged him from arrest, his constant character of Consul was no protection, and they did not explain whether his character to Morocco was not originally diplomatic or had expired. Mr. Barclay's proceedings under this commission being now enclosed, it would be incumbent on me to declare with respect to them, as well as his consular transactions, my opinion of the judgment, zeal, and disinterestedness, with which he has conducted himself; were it not that Congress has been so possessed of those transactions from time to time, as to judge for themselves. I cannot but be uneasy, lest my delay of entering on the subject of the Consular Convention may be disapproved; my hope was and is, that more practicable terms might be obtained; in this hope, I do nothing till further orders. Observing by an extract from the jour-

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nals you were pleased to send me, that Congress have referred the matter to your consideration, and conscious that we are not suffering in the meantime, as we have not a single Consul in France, since the departure of Mr. Barclay. I mentioned to you in my last, the revival of the hopes of the Chevalier de la Luzerne. I thought it my duty to remind the Count de Montmorin, the other day, of the long absence of their Minister from Congress, he told me the Chevalier de la Luzerne would not be sent back, but that we might rely that in the month of October, a person would be sent, with whom we should be content; he did not name the person, though there is no doubt that it is the Count de Moustier. It is an appointment which, according to the opinion I have formed of him, bids as fair to give content, as any one which could be made.

I also mentioned in my last letter, that I had proposed the reducing the substance of M. de Calonne's letter, into the form of an *arrêt* with some alterations, which on consultation with the merchants at the different ports I visited, I had found to be necessary. I received soon after a letter from the Comptroller General informing me, that the letter of Monsieur de Calonne was in a course of execution. Of this I enclose you a copy. I was in that moment enclosing to him my general observations on that letter, a copy of which is also enclosed; in this, I stated all the alterations I wished to have made. It became expedient soon after to bring on the article of tobacco, first to know whether the farmers had executed the orders of Bernis, and also to prepare some arrangements to succeed the expiration of this order, so that I am now pursuing the whole subject of our commerce. 1st. to have ne-

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cessary amendments made in M. de Calonne's letter, 2nd. to put it into a more stable form: 3rd. to have full execution of the order of Bernis: 4th. to provide arrangements for the article of tobacco, after that order shall be expired. By the copy of my letter on the two last points, you will perceive that I again press the attention of the farm of this article, the conferences on that subject give no hope of effecting that, some poor palliative is probably all we shall obtain. The Marquis de la Fayette goes hand in hand with me in all these transactions, and is an invaluable auxiliary to me. I hope it will not be imputed either to partiality or affectation, my naming this gentleman so often in my despatches; were I not to do it, it would be a suppression of truth, and as taking to myself the whole merit, where he has the greatest share.

The Emperor, on his return to Vienna, discovered the concessions of his Governors General to his subjects of Brabant, he, at the same time, proposed their sending deputies to him, to consult on their affairs; they refused in the first moment, but afterwards nominated deputies, without giving them any power, however, to concede anything; in the meantime they are arming and training themselves, probably the Emperor will avail himself of the aid of these deputies to tread back his steps, he will be the more prompt to do this, that he may be in readiness to act freely if he finds occasion, in the new scenes preparing in Holland; what these will be, cannot be foreseen. You well know that the original party divisions of that country were into Stadtholderians, Aristocrats and Democrats, there was a subdivision of the aristocrats, into violent and moderate, which was important; the violent aristocrats would have wished to preserve all

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the powers of government in the hands of the regents, and that these should remain self-elective, but choosing to receive a modification of these powers from the Stadtholder rather than from the people, they threw themselves into his scale. The moderate aristocrats would have consented to a temperate mixture of democracy, and particularly, that the regents should be elected by the people, they were the declared enemies of the Stadtholder, and acted in concert with the Democrats, forming with them, what were called the patriots. It is the opinion of dispassionate people on the spot, that their views might have been effected, but the democratic party aimed at more, they talked of establishing tribunes of the people, of annual accounts, of depriving the magistrates at the will of the people, &c. of enforcing all this with the arms in the hands of the *corps francs*, and in some places, as at Heusden, Sprang, &c. began the execution of these projects; the moderate aristocrats found it difficult to strain their principles to this pitch, a schism took place between them and the democrats, and the former have, for sometime, been dropping off from the latter into the scale of the Stadtholder. This is the fatal coalition which governs without obstacle in Zealand Friesland and Guelderland, which constitutes the States of Utrecht and Amersfort; and, with their aid, the plurality in the States General. The States of Holland, Groningen and Overyssel, vote, as yet, in the opposition; but the coalition gains ground in the States of Holland, and has been prevalent in the Council of Amsterdam. If its progress be not stopped, by a little moderation in the democrats, it will turn the scale decidedly in favor of the Stadtholder, in the event of their being left to them-

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selves, without foreign interference. If foreign powers interfere, their prospect does not brighten. I see no sure friends to the Patriots, but France; while Prussia and England are their assured enemies. Nor is it probable that characters so greedy, so enterprising, as the Emperor and Empress, will be idle during such a struggle; their views have long shown which side they would take. That France has engaged to interfere and support the Patriots, is beyond doubt. This engagement was entered into during the life of the late King of Prussia, whose eye was principally directed on the Emperor, and whose dispositions towards the Prince of Orange would have permitted him to be clipped a little close; but the present King comes in with warmer dispositions towards the Princess, his sister. He has shewn decidedly that he will support her, even to the destruction of the balance of Europe, and the disturbance of its peace. The King of England has equally decided to support that House, at the risk of plunging his nation into another war. He supplies the Prince with money. At this moment a particular remittance of one hundred and twenty thousand guineas is known of, but his Ministry is divided. Pitt is against the King's opinion, the Duke of Richmond and the rest of the Ministers for it, or at least such is the belief here. Mr. Adams will have informed you more certainly. This division in the English Ministry, with the ill condition of their finances for the war, produce a disposition, even in the King, to try first every pacific measure. And that country and this were laboring jointly to stop the course of hostilities in Holland, to endeavor to effect an accommodation, and were scarcely executing at all, the armaments ordered in their ports, when all of a

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sudden, an inflamatory letter, written by the Princess of Orange to the King of Prussia, induces him, without consulting England, without consulting even his own council, to issue orders by himself, to his Generals, to march twenty thousand men to revenge the insult supposed to be offered to his sister. With a pride and egotism planted in the heart of every King, he considers her being stopped in the road, as a sufficient cause to sacrifice a hundred or two thousand of his own subjects, and as many of his enemies, and to spread fire, sword and desolation, over the half of Europe. This hasty measure has embarrassed England; undesirous of war, if it can be avoided, yet unwilling to separate from the power, who is to render its success probable. Still you may be assured that that Court is going on in concurrence with this, to prevent extremities if possible, always understood that if the war cannot be prevented, they will enter into it as parties, and in opposition to one another. This event is, in my opinion, to be deprecated by the friends of France. She never was equal to such a war by land, and such a one by sea; and less so now than in any moment of the present reign. You remember that the nation was in a delirium of joy on the convocation of the Notables, and on the various reformations agreed on between them and the Government. The picture of the distress of their finances, was indeed frightful, but the intentions to reduce them to order seemed serious. The constitutional reformations have gone on well, but those of expenses make little progress; some of the most obviously useless have indeed been lopped off, but the remainder is a heavy mass, difficult to be reduced. Despair has seized every mind, and they have passed from an extreme of joy to one

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of discontent. The Parliament, therefore, oppose the registering any new tax, and insist on an assembly of the States General.

The object of this is to limit the expenses, and dictate a constitution; the edict for the stamp tax has been the subject of reiterated orders and refusals to register, at length, the King has summoned the Parliament to Versailles, to hold a bed of justice, in which, he will order them in person to register the edict. At the moment of my writing, they are gone to Versailles for this purpose; there will yet remain to them to protest against the register as forced, and to issue orders against its execution, on pain of death; but as the King would have no peaceable opposition left, it remains to be seen whether they will push the matter to this extremity. It is evident, I think, that the spirit of this country is advancing towards a revolution in their constitution, there are not wanting persons at the helm, friends to the progress of this spirit, the provincial assemblies will be the most probable instrument of effecting it. Since writing thus far, I have received an intimation, that it will be agreeable not to press our commercial regulations at this moment, the ministry being too much occupied with the difficulties surrounding them, to spare a moment on any subject which will admit of delay; our business must, therefore, be suspended for a while; to press it out of season would be to defeat it, it would be felt as a vital benefit here, could we relieve their finances, by paying what we owe. Congress will judge, by Mr. Adams' letters, how far the transferring all our debts in this country to Holland, is practicable, or the replenishing their treasury with our principal and interest. I should not be afraid to

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ask concessions in favor of our West India trade; it would produce a great change of opinion as to us and our affairs; in the *Assemblée des Notables* hard things were said of us, they were induced, however, in committing us to writing, to smother their ideas a little. In their votes, now gone to be printed, our debt is described in these words: "The twenty-first article in the account of receipts, consisting of the interest of the debt due to his Majesty from the United States, cannot be taken into consideration, except it is for the sake of reference, although that debt seems to be well secured, it may, nevertheless, be a great while before it can be collected, principal as well as interest; and it cannot, consequently, enter into the calculation of the current annual receipts. That article amounts to 1,600,000 livres." Above all things it is desirable to hush the foreign officers by payment; their wants, the nature of their services, their access to high characters and connexions with them, bespeak the reasons for this. I hear, also, that Mr. Beaumarchais means to make himself heard, if a memorial, which he sends by an agent in the present packet is not attended to, as he thinks it ought to be. He called on me with it, and desired me to recommend his case to a decision, and to note in my despatch, that it was the first time he had spoken to me on the subject; this is true, it being the first time I ever saw him; but my recommendations would be as misplaced as unnecessary. I assured him, Congress would do in that business what justice should require, and their means enable them to. The information sent me by Mr. Montgomery from Alicant, of the death of the Dey of Algiers, was not true; I had expressed my doubt of it in my last, when I com-

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municated it. I send, herewith, the newspapers to this date, and a remonstrance of the Parliament, to shew you in what language the King can be addressed at this day. I have received no journals of Congress since the beginning of November last, and will thank you for them, if printed.

I have the honor to be, &c.

TH: JEFFERSON.

P. S. August 7th. The Parliament were received yesterday very harshly by the King, he obliged them to register the two edicts for the *impôt territorial* and the stamp tax. When speaking in my letter of the reiterated orders and refusals to register, which passed between the King and Parliament, I omitted to insert the King's answer to a deputation of Parliament which attended him at Versailles. It may serve to shew the spirit, which exists between them; it was in these words, and these only: "*Je vous ferai savoir mes intentions, allez vous en, qu'on ferme la porte.*"

FROM BARON DE STAEL HOLSTEIN TO THOMAS JEFFERSON.

Paris, August 3, 1787.

Sir,

Allow me to have the honor of claiming your kind offices, near the United States, in a circumstance in which the safety of commerce is compromised.

Mr. Adolph Frederick Dahlberg, captain of the Swedish galeasse *Marie Elizabeth*, belonging to Baron de Roxendorft, went to sea, on an expedition on account of

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the owner of that ship. A long time has elapsed since, and not the least news has been received from that captain, who it seems has formed the conspiracy of taking possession of the vessel and its cargo and going off to remote seas, according to the informations which have been procured, and of the declarations furnished to the admiralty.

The chamber of commerce of Stockholm having strong reasons to presume that Captain Dahlberg has gone to some port in the United States, has applied to me for the purpose of obtaining means in order to take possession of his person.

I have the honor to annex hereto, the description of the said captain and also of the galeasse, such as they have been transmitted to me. I hope, sir, that you will find in the safety of commerce and of navigation, motives sufficiently strong, to send these papers to the United States, and to support the claim of the chamber of commerce, which requires that orders should be given that captain Dahlberg and his accomplices should be arrested, in whatever port of the United States they may be found and at whatever time they may be discovered, and that from thence they should be sent as prisoners on board the said ship, to the Governor of the Island of St. Bartholomew, belonging to his Majesty, the King of Sweden.

I shall wait your answer and will communicate it to the chamber of commerce of Stockholm. I take this opportunity to offer you the assurance of the perfect consideration, with which

I have the honor to be, &c.

BARON DE STAEL HOLSTEIN.

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Description of the Captain.

Captain Adolph Frederick Dahlberg, was born in the city of Calmar in Sweden; he is of a middling stature, rather small than large, his person short and thick; he has black eyes, dark complexion and black hair.

Description of the Swedish ship or galeasse Marie Elizabeth.

The ship is built of oak and pine, twenty two lasts, or about forty four English tons burthen, built and rigged as a galeasse or hocre galeasse. When she left Calmar she had streaks painted black all around the ship; there was a small figure of a woman painted on the stern, and under that figure was written the name of the ship, *Marie Elizabeth*; and there was a break which contracted a little the dimension of the hold.

The owner of the ship is Baron de Roxendorft.

MEMORIAL.

To the Mareschal de Castries, Minister and Secretary of State for the Department of the Navy.

The owners and captains of several ships belonging to the United States of America, allies of his most Christian Majesty, and actually moored in the road of Point a Petre, humbly petition, saying that there has been communicated to them a decree of the King, ordering that the port of Point a Petre should be shut to them, and that the road of Basseterre is exclusively open to receive them.

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The petitioners take the liberty to represent, in the most humble manner, to your Excellency, that such a revolution in the American commerce of these parts, will be a fatal one to the continent, as well as to the colony of Guadaloupe, and that the Americans will be obliged to compare it to almost a total prohibition.

Being entirely convinced of the ardent desire of your Excellency, to encourage the commerce of the colonies, confided to your Ministry, and being assured of the benevolence which characterizes your actions; the petitioners (in hopes of obtaining their request) take the liberty of addressing themselves to you, in order that you should place before his most Christian Majesty, the inconveniences, without numbers, which the execution of his order will occasion. The dangers to which their ships will be exposed in the road of Basseterre during the hurricane months—a continual swell of the sea—unavoidable delays in the expeditions—their boats dashed to pieces on their debarking, as well as embarking—a great many expenses to which their commercial operations will be subjected by the situation of that road, and which the little value of their cargoes will be unable to pay. All this is only a feeble sketch of their situation. As the sale of their cargoes cannot be as advantageous at Basseterre, as it is at Point a Petre, a lesser number of ships will go there, and their return cargoes, consisting in rum and syrup, which are more abundant at the Grandeterre and its neighborhood, the petitioners would have the great advantage of transporting, in one day, and in their own boats, the necessary articles for those cargoes; instead of this they will be compelled to freight vessels, for the transportation of their cargoes to Basseterre. By this

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expensive manner of loading, their profits are considerably diminished, and they see themselves subjected still to a certain loss, by the leakage of the rum and syrup, during their transportation to Basseterre.

The situation of Point a Petre offers them great advantages; the navigation of the Salt river, the beautiful surrounding sea, the facility with which they transport their goods amongst the planters, and the exactness of the payments. The inhabitants, by that means, receive the necessary articles at a lower price. Should they be compelled to go to Basseterre for the purpose of purchasing them, and at the same time be compelled to transport there, their produce in payment, their rum and syrup will be lessened in value, and the goods purchased will increase in price for the planter, whilst, at the same time, the freight and other expenses of transportation, will enhance the price of the produce to the petitioners.

They address themselves to the humanity and to the benevolence of your Excellency, entreating you to represent, to his Majesty, the grievous and embarrassing situation in which they find themselves. The interest of the planters being intimately connected with theirs, they hope that his Majesty will, on your representation, deliver them from that unfortunate position; that he will condescend to annul his decree, and that he will order that the commerce of the United States of America, shall be carried, as heretofore, with the port of Point a Petre only. The petitioners flatter themselves that you will receive, favorably their supplications.

Your mediation, in a cause so especially connected with the industry and prosperity of the petitioners, as well as that of the colony of Guadaloupe, will make

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them forever grateful, and their prayers for the prosperity of your Highness, shall be addressed to Heaven with fervor. It is the only proof they can give of the respect, and of the veneration they have for you.

Point a Petre, Island of Guadeloupe, May 3, 1787.

(Signed) Joseph Sevein, Daniel Wookey, James Jones, Nathl. Saunders, Wm. Wyles, Nich. Stilwell, Isaac Tubbs, John Marshall, Thomas Webb, Jona. Mason, Jno. Peabody, Paul Vast, Peter Le Breton, Forten Moore, Wm. Russel, Nath. Witmore, Phœnix Frazier, Joseph Wells, Benj. Shillaber, Rich. Tappan.

FROM THOMAS BARCLAY TO JOHN ADAMS AND THOMAS JEFFERSON.

L'Orient, July 13, 1787.

Gentlemen,

I do myself the honor to enclose you two books, of eighty-two pages, containing all my accounts respecting my mission to Morocco; by which, you will see that the amount of the expenses attending the negotiation, including the presents, and all the travelling charges of Mr. Franks and myself, amount to 95,179*liv.* 10*sols*, which sum I shall place to the debit of the United States. The particulars of the purchases made, and of the appropriation of all the presents, together with an account of the articles remaining on hand, make a part of these accounts; and I do not know that any thing whatever is left unexplained, when I have told you that my reasons for leaving the lawns and cambrics in the hands of Mr. Champion, of this place, for sale, was, because the Far-

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mers General would not permit me to carry them out of the town by land. Mr. Champion died, suddenly, in April last, and at present nothing is done or can be done in his affairs, which are all sealed up by the judges, and are likely to remain so some time. I shall direct the account of the goods to be lodged in the hands of Mr. Loreilhe here, in order that he may claim them.

I annex an account of bills drawn on Mr. Adams, amounting to £4645 sterling, £100 of which, in favor of M. Grand, he writes to me, was never sent forward for acceptance; in which case, I have promised to account with him for it, and then the amount will be £4545 sterling, which, supposing the exchange to be on an average 24*liv.* the pound sterling, clear of negotiating fees in Paris, the sum will be, in livres; 109,080, so that, upon this account I shall remain indebted to the United States (until I make a settlement with them, and until I know what I am to charge for my voyage) 13,901*liv.* 10*sols.* I have also some suspicion, that I must have drawn a bill not included in this account, but I am not certain, as most of my papers are at St. Germain's. Mr. Adams will be so kind as to procure from the banker, who paid the drafts, an account of the particulars, and transmit it to me, under cover to Mr. Jay, at New York, assuring himself, that a final settlement shall be made, to the entire satisfaction of Congress, and that of you, gentlemen.

The necessity I am under, of hastening out to America, should not have prevented my waiting on Mr. Adams in London, for his commands, had not Mr. Jefferson given me a full dispensation on that head, and, therefore, I know Mr. Adams will excuse me.

Before I take leave, permit me to thank you both for

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the many marks of esteem and attention, with which you have honored me, and to request most earnestly a continuance of that regard, which I sincerely assure you is very precious to, gentlemen,

Your most, &c.

THOS. BARCLAY.

P. S. The precise exchange of the bills cannot be adjusted, until I receive M. Grand's accounts.

					Favor.		From.
1785	Sept.	27	No.	1	M. Grand	120	Paris.
"	"	28	"	2	M. Darcel	100	
"	"	"	"	3	M. Grand	100	
"	Oct.	22	"	4	do.	200	
"	Nov.	3	"	5	do.	100	
"	"	"	"	6	do.	100	
"	"	"	"	7	do.	100	
"	"	23	"	8	do.	200	
"	Dec.	1	"	9	M. Darcel	200	
"	"	2	"	10	do.	200	
"	"	7	"	11	M. Grand	100	
"	"	"	"	12	do.	200	
1786	Jan.	15	"	13	do.	200	
"	"	16	"	14	do.	200	
"	Feb.	24	A		do.	100	Bayonne.
"	April	15	"		Druilhet & Co.	250	Madrid.
"	May	26	"		Lynch & Bellew	300	Cadiz.
"	June	13	"		Mrs. Barclay	100	Mogadore.
"	Aug.	11	"		Lynch & Bellew	750	Daralbeyda.
"	Dec.	3	"		Druilhet & Co.	400	Madrid.
1787	Feb.	10	"		Francis Picquerez	150	Alicant.
"	"	"	"		Wm. Fred. Ast	50	do.
"	"	"	"		Mrs. Barclay	*100	do.
"	April	3	"		Lynch & Bellew	325	Barcelona.

£4,645 Sterling.

*Probably this bill was for only £50

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FROM THOMAS JEFFERSON TO GEORGE WASHINGTON.

Paris, August 14, 1787.

Sir,

I was happy to find, by the letter of August 1st, 1786, which you did me the honor to write to me, that the modern dress for your statue, would meet your approbation. I found it strongly the sentiment of West, Copely, Trumbull and Brown, in London; after which, it would be ridiculous to add, that it was my own. I think a modern in an antique dress, as just an object of ridicule, as a Hercules or Marius with a periwig and chapeaubras.

I remember, having written to you, while Congress sat at Annapolis, on the water communication between ours and the western country, and to have mentioned, particularly, the information I had received of the plain face of the country between the sources of Big Beaver and Cayohoga, which made me hope that a canal, of no great expense, might unite the navigation of Lake Erie and the Ohio. You must since have had occasion of getting better information on this subject, and if you have, you will oblige me by a communication of it. I consider this canal, if practicable, as a very important work.

I remain in hopes of great and good effects, from the decision of the assembly over which you are presiding. To make our States one, as to all foreign concerns, preserve them several as to all merely domestic, to give to the federal head some peaceable mode of enforcing its just authority, to organize that head into legislative, executive and judiciary departments, a great desiderata in our federal constitution. Yet, with all its defects, and

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with all those of our particular governments, the inconveniences resulting from them, are so light, in comparison with those existing in every other government on earth, that our citizens may certainly be considered, as in the happiest political situation which exists.

The *Assemblée des Notables* has been productive of much good in this country. The reformation of some of the most oppressive laws has taken place. The allotment of the State into subordinate governments, the administration of which is committed to persons chosen by the people, will work, in time, a very beneficial change in their constitution. The expense of the trappings of monarchy, too, is lightening. Many of the useless officers, high and low, of the King, Queen and Princes, are struck off. Notwithstanding all this, the discovery of the abominable abuses of the public money, by the late Comptroller General, some new expences of the Court, not of a piece with the projects of reformation, and the imposition of new taxes, have, in the course of a few weeks, raised a spirit of discontent in this nation, so great and so general, as to threaten serious consequences. The parliaments in general, and particularly that of Paris, put themselves at the head of this effervescence, and direct its object to the calling the States General, who have not been assembled since 1614. The object is to fix a constitution, and to limit expenses. The King has been obliged to hold a bed of jnstice, to enforce the registering the new taxes; the Parliament, on their side, propose to issue a prohibition against their execution. Very probably this may bring on their exile. The mild and patriotic character of the new Ministry, is the principal dependance against this extremity.

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The turn which the affairs of Europe will take, is not yet decided.

* * * * * * * * *

A war, wherein France, Holland and England should be parties, seems *prima facie*, to promise much advantage to us. But, in the first place, no war can be safe for us, which threatens France with an unfavorable issue. And, in the next, it will probably embark us again into the ocean of speculation, engage us to over-trade ourselves, convert us into sea-rovers, under French and Dutch colors, divert us from agriculture, which is our wisest pursuit, because it will, in the end, contribute most to real wealth, good morals, and happiness. The wealth acquired by speculation and plunder, is fugacious in its nature, and fills society with the spirit of gambling. The moderate and sure income of husbandry, begets permanent improvement, quiet life, and orderly conduct, both public and private. We have no occasion for more commerce than to take off our superfluous produce, and the people complain that some restrictions prevent this; yet, the price of articles with us, in general, shews the contrary. Tobacco, indeed, is low, not because we cannot carry it where we please, but because we make more than the consumption requires. Upon the whole, I think peace advantageous to us, necessary for Europe, and desirable for humanity. A few days will decide, probably, whether all these considerations are to give way to the bad passions of Kings, and those who would be Kings. I have the honor to be, &c.

TH: JEFFERSON.

P. S. August 15th. The Parliament is exiled to Troyes, this morning. T. J.

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FROM THOMAS JEFFERSON TO JOHN JAY.

Paris, August 15, 1787.

Sir,

An American gentleman leaving Paris this afternoon, to go by the way of L'Orient to Boston, furnishes me the rare occasion of a conveyance, other than the packet, sure and quick. My letter by the packet informed you of the bed of justice, for enregistering the stamp tax and land tax. The Parliament, on their return, came to an *arrettée* (a resolution) which, besides protesting against the enregistering, as done by force, laid the foundation for an *arrêt de defence* (an act) against the execution of the two new laws. The question on the final *arrêt* was adjourned to the day before yesterday. It is believed that they did not conclude on this *arrêt*, as it has not appeared. However, there was a concourse of about ten thousand people at the Parliament house, who, on their adjournment, received them with acclamations of joy, loosened the horses of the most eminent speakers against the tax, from their carriages, and drew them home. This morning the Parliament is exiled at Troyes. It is believed to proceed principally from the fear of a popular commotion here.

The officer charged by this Court, to watch the English squadron, which was under sailing orders, returned about a week ago, with information that it had sailed, having shaped its course westwardly. This is another step towards war. It is the more suspicious, as their Minister here denies the fact. Count Adhemar is here from London, by leave from his Court. The Duke of Dorset, the British Ambassador here, has lately gone to London,

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on leave. Neither of these Ambassadors has the confidence of his Court, on the point of abilities. The latter merits it for his honesty. The Minister of the British Court, resident here, remains, but Mr. Eden, their Ambassador to Spain, under pretence of taking this in his route, is in truth their *factotum* in the present emergency. Nothing worth noting has occurred since my last, either in the Dutch or Austrian Netherlands.

I have the honor to be, &c.

TH: JEFFERSON.

FROM JOHN JAY TO THOMAS JEFFERSON.

Office for Foreign Affairs,
October 24, 1787.

Dear Sir,

Since the 8th ult. when I last wrote to you, I have been favored with your letters of the 6th and 15th August last, which together with the papers mentioned in the first of them, were immediately laid before Congress.

Although the opinion of the most judicious and well informed seems to be that France and Britain will avoid war, and unite their councils and their efforts to preserve peace, yet as great events are often produced by latent and little circumstances, especially between Courts who distrust each other, I should not be surprised, if notwithstanding their wishes to the contrary, something should happen to frustrate their pacific designs.

You will receive herewith enclosed, two letters from me dated the 27th, concerning the Consular Convention,

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with a commission to you to form one; and also a certified copy of an act of Congress of the 23rd July, on the subject of the Morocco treaty and papers. The want of a safe and private conveyance has, until now, delayed the transmission of these letters and this act. I also enclose the following papers, viz:

1. A certified copy of an act of Congress of 28th September, respecting duties on goods imported by foreign Consuls.

2. A certified copy of an act of 2nd October instant, instructing you not to promote any negotiation for transferring the debt due to France from the United States.

3. A certified copy of an act of 11th October inst, approving the manner in which the prize money due to the crews of the Bon Homme Richard and Alliance has been quotaed by France, and directing the Board of Treasury to distribute it accordingly.

4. A certified copy of an act of 12th October instant, reappointing you Minister Plenipotentiary at the Court of Versailles, together with a commission and letter of credence, and a copy of the letter for your information.

5. A certified copy of an act of 12th October instant, constituting the residue of the money, appropriated the 14th February, 1785, for treaties with Morocco, &c., a fund for redeeming the American captives at Algiers, and a duplicate of the act of 18th July instructing you to redeem them.

6. A certified copy of an act of the 16th October instant directing you to have a medal struck in honor of Chevalier Jones, and a copy of a letter to his most Christian Majesty of the same date, on the same subject. Congress were pleased to order that he should be the

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bearer of this letter; but I nevertheless think it proper that you should have a copy of it.

7. Copy of a letter of the 26th ult.,which I this day received from the Governor of Rhode Island, requesting me to transmit to you, the papers which accompanied it, and which I now transmit accordingly.

8. A copy of the federal government, proposed by the late Convention.

9. The requisition of Congress, passed the 11th instant, and their printed journals, from the 10th May to 25th September last, which, with those heretofore sent, will complete your set, from the 6th November, 1786. I also send the newspapers from 8th September to this day.

As to the claims of certain individuals against the State of South Carolina, I have, by order of Congress, sent an extract from your letter on that subject, together with a copy of the papers relative to it, to the Governor of that State, in order that they may, thereupon, take such measures as the good faith of the State, and the justice due to the individuals in question, may appear to dictate.

The number of States represented in Congress, almost daily diminishes, and I must fear, will soon be so reduced, as not to leave them in capacity to despatch any business requiring nine.

Congress has been pleased to comply with the request of Mr. Adams, to return, and I enclose a copy of their act, on that head.

As yet, I am not authorized to say any thing relative to the proposed Post Office Convention. A report on that subject has lain many months before Congress, and still remains undecided.

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What will be the fate of the new Constitution, as it is called, cannot easily be conjectured. At present the majority seems to be in favor of it, but there will probably be a strong opposition in some of the States, particularly in this and Pennsylvania.

I have the honor of being, &c.

JOHN JAY.

FROM JOHN JAY TO THOMAS JEFFERSON.

Office for Foreign Affairs,
October 24, 1787.

Sir,

The despatches alluded to in my late letters, together with others of some importance, are ready, and were intended to be conveyed to you by this packet; but the gentleman to whose care they were committed, declining to go in her, they must pass to you by some other route. An opinion prevails, that hostilities have probably commenced between France and Britain, and such is its impression, that some gentlemen who proposed to sail in the French packet, think it most adviseable to take passage in an American vessel. For my own part, I think their apprehensions are premature; for, as yet, I am not informed of any events, from which I can infer a probability that war has taken place.

A new commission, to expire at the expiration of your present one, has been ordered, and is ready. You will receive it with the above mentioned despatches.

With sentiments of great and sincere esteem and regard, I have the honor to be, &c.

JOHN JAY.

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FROM THOMAS JEFFERSON TO JOHN ADAMS.

Paris, August 30, 1787.

Sir,

Since your favor of July 10th, mine have been of July the 17th, 23rd, and 28th. The last enclosed a bill of exchange from M. Grand, on Tessier, for £46 17s. 10d. sterling, to answer General Sullivan's bill for that sum. I hope it got safe to hand, though I have been anxious about it, as it went by post, and my letters through that channel sometimes miscarry.

From the separation of the Notables to the present moment, has been, perhaps, the most interesting interval ever known in this country. The propositions of the government, approved by the Notables, were precious to the nation, and have been in an honest course of execution, some of them being carried into effect, and others preparing. Above all, the establishment of Provincial Assemblies, some of which have begun their sessions, bids fair to be the instrument for circumscribing the power of the crown, and raising the people into consideration. The election given to them is what will do this. Though the Minister who proposed these improvements, seems to have meant them as the price of new supplies, the game has been so played, as to secure the improvements to the nation, without securing the price. The Notables spoke softly on the subject of the additional supplies. But the Parliament took them up roundly, refused to register the edicts for the new taxes, till compelled in a bed of justice, and suffered themselves, to be transferred to Troyes, rather than withdraw their opposition. It is urged principally against the King, that his revenue is one hundred

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and thirty millions more than that of his predecessor was, and yet he demands one hundred and twenty millions further. You will see this well explained in the "*conference entre un Ministre d'etat et un conseiller au Parlement*," which I send yon, with some small pamphlets. In the meantime, all tongues in Paris, (and in France as it is said) have been let loose, and never was a licence of speaking against the government, exercised in London more freely or more universally. Caricatures, placards, *bons mots*, have been indulged in by all ranks of people, and I know of no well attested instance of a single punishment. For some time, mobs of ten, twenty, and thirty thousand people collected daily, surrounded the parliament house, huzzaed the members, even entered the doors and examined into their conduct, took the horses out of the carriages of those who did well and drew them home. The government thought it prudent to prevent these, drew some regiments into the neighborhood, multiplied the guards, had the streets constantly patrolled by strong parties, suspended privileged places, forbade all clubs, &c. The strong mobs have ceased; perhaps this may be partly owing to the absence of Parliament. The Count d'Artois, sent to hold a bed of justice in the *Cour des Aides*, was hissed and hooted without reserve by the populace; the carriage of Madame de (I forget the name) in the Queen's livery, was stopped by the populace, under a belief that it was Madame de Polignac, whom they would have insulted; the Queen, going to the theatre at Versailles with Madame de Polignac, was received with a general hiss. The King, long in the habit of drowning his cares in wine, plunges deeper and deeper. The Queen cries, but sins on. The Count

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d'Artois is detested, and Monsieur the general favorite. The Archbishop of Thoulouse is made *Ministre principal*, a virtuous, patriotic and able character. The Mareschal of Castries retired yesterday, notwithstanding strong solicitations to remain in office. The Mareschal de Segur retired at the same time, prompted to it by the Court. Their successors are not yet known. Monsieur de St. Priest goes Ambassador to Holland, in the room of Verac, transferred to Switzerland and the Count de Moustier goes to America, in the room of the Chevalier de la Luzerne, who has a promise of the first vacancy. These nominations are not yet made formally, but they are decided on, and the parties are ordered to prepare for their destination.

As it has been long since I have had a confidential conveyance to you, I have brought together the principal facts, from the adjournment of the *Notables*, to the present moment, which, as you will perceive from their nature, required a confidential conveyance. I have done it the rather, because, though you will have heard many of them, and seen them in the public papers, yet, floating in the mass of lies, which constitute the atmosphere of London and Paris, you may not have been sure of their truth; and I have mentioned every truth of any consequence, to enable you to stamp as false, the facts pretermitted. I think, that in the course of three months, the royal authority has lost, and the rights of the nation gained, as much ground by a revolution of public opinion only, as England gained in all her civil wars under the Stuarts. I rather believe, too, they will retain the ground gained, because it is defended by the young and middle aged, in opposition to the old only. The first

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party increases, and the latter diminishes daily, from the course of nature. You may suppose, that in this situation, war would be unwelcome to France. She will surely avoid it, if not forced into it by the Courts of London and Berlin. If forced, it is probable she will change the system of Europe totally, by an alliance with the two Empires, to whom nothing would be more desirable. In the event of such a coalition, not only Prussia, but the whole European world, must receive from them their laws. But France will, probably, endeavor to preserve the present system, if it can be done, by sacrificing to a certain degree, the pretensions of the patriotic party in Holland. But of all these matters, you can judge, in your position, where less secrecy is observed, better than I can.

I have news from America, as late as July the 19th. Nothing had transpired from the Federal Convention. I am sorry they began their deliberations by so abominable a precedent, as that of tying up the tongues of their members. Nothing can justify this example, but the innocence of their intentions, and ignorance of the value of public discussions. I have no doubt, that all their other measures will be good and wise. It is really an assembly of demigods. General Washington was of opinion that they should not separate till October.

I have the honor to be, &c.

TH: JEFFERSON.

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FROM THOMAS JEFFERSON TO JOHN JAY.

Paris, September 19, 1787.

Sir,

My last letters to you were of the 6th and 15th of August; since which, I have been honored with yours of July the 24th, acknowledging the receipt of mine of the 14th and 23rd of February. I am anxious to hear you have received that also of May the 4th, written from Marseilles. According to the desires of Congress, expressed in their vote confirming the appointments of Francisco Guiseppe and Girolamo Chiappi, their agents in Morocco, I have written letters to these gentlemen, to begin a correspondence with them. To the first, I have enclosed the ratification of the treaty with the Emperor of Morocco, and shall send it either by our agent at Marseilles, who is now here, or by the Count d'Aranda, who sets out for Madrid in a few days, having relinquished his embassy here. I shall proceed on the redemption of our captives at Algiers, as soon as the Commissioners of the Treasury shall enable me, by placing the money necessary under my orders. The prisoners redeemed by the religious order of Mathurins, cost about four hundred dollars each; and the General of the order told me, that they had never been able to redeem foreigners on so good terms as their own countrymen. Supposing that their redemption, clothing, feeding and transportation, should amount to five hundred dollars each, there must be, at least, a sum of ten thousand dollars set apart for this purpose. Till this is done, I shall take no other step than the preparatory one, of destroying, at Algiers, all idea of our intending to redeem the prisoners.

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This, the General of the Mathurins told me, was indispensably necessary, and that it must not, on any account, transpire, that the public would interest themselves for their redemption. This was rendered the more necessary, by the declaration of the Dey to the Spanish Consul, that he should hold him responsible, at the Spanish price, for our prisoners, even for such as should die. Three of them have died of the plague. By authorizing me to redeem, at the prices *usually* paid by the European nations, Congress, I suppose, could not mean the Spanish price, which is not only unusual, but unprecedented, and would make our vessels the first object of those pirates. I shall pay no attention, therefore, to the Spanish prices, unless further instructed. Hard as it may seem, I should think it necessary not to let it be known, even to the relatives of the captives, that we mean to redeem them.

I have the honor to enclose you a paper from the Admiralty of Guadaloupe, sent to me as a matter of form, and to be lodged, I suppose, with our marine records. I enclose, also, a copy of a letter from the Count de Florida Blanca to Mr. Carmichael, by which you will perceive they have referred the settlement of the claim of South Carolina, for the use of their frigate, to M. Gardoqui, and to the Delegates of South Carolina in Congress.

I had the honor to inform you, in my last letter, of the Parliament's being transferred to Troyes. To put an end to the tumults in Paris, some regiments were brought nearer, the patroles were strengthened and multiplied, some mutineers punished by imprisonment; it produced the desired effect. It is confidently believed, however,

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that the parliament will be immediately recalled, the stamp tax and land tax repealed, and other means devised of accommodating their receipts and expenditures. Those supposed to be in contemplation, are a vigorous levy of the old tax of the *deux vingtiemes*, on the rich, who had, in a great measure, withdrawn their property from it, as well as on the poor, on whom it had principally fallen. This will greatly increase the receipts; while they are proceeding, on the other hand, to reform their expenses far beyond what they had promised. It is said these reformations will amount to eighty millions. Circumstances render these measures more and more pressing.

I mentioned to you in my last letter, that the officer charged by the Ministry to watch the motion of the British squadron, had returned, with information, that it had sailed westwardly. The fact was not true. He had formed his conclusion too hastily, and thus led the Ministry into error. The King of Prussia, urged on by England, has pressed more and more the affairs of Holland, and lately, has given to the States General of Holland, four days only to comply with this demand. This measure would, of itself, have rendered it impossible for France to proceed longer in the line of accommodation with Prussia. In the same moment, an event takes place, which seems to render all attempts at accommodation idle. The Turks have declared war against the Russians, and, that under circumstances which exclude all prospect of preventing its taking place. The King of Prussia having deserted his ancient friends, there remain only France and Turkey, perhaps Spain also, to oppose the two Empires, Prussia and England. By

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such a piece of Quixotism, France might plunge herself into ruin with the Turks and Dutch, but would save neither. But there is certainly a confederacy secretly in contemplation, of which the public have not yet the smallest suspicion; that is, between France and the two Empires. I think it sure that Russia has desired this, and that the Emperor, after some hesitation, has acceded. It rests on this country to close. Her indignation against the King of Prussia will be some spur. She will thereby save her party in Holland, and only abandon the Turks to that fate she cannot ward off, and which their precipitation has brought on themselves, by the instigations of the British Ambassador at the Porte, and against the remonstrances of the French Ambassador. Perhaps this formidable combination, should it take place, may prevent the war of the western powers, as it would seem that neither England nor Prussia would carry their false calculations so far, as, with the aid of the Turks only, to oppose themselves to such a force. In that case, the patriots of Holland would be peaceably established in the powers of their government, and the war go on against the Turks only, who would, probably, be driven from Europe. This new arrangement would be a total change in the European system, and a favorable one for our friends. The probability of a general war, in which this country would be engaged on one side, and England on the other, has appeared to me sufficient to justify my writing to our agents in the different ports of France, to put our merchants on their guard, against risking their property in French or English bottoms. The Emperor, instead of treading back his steps in Brabant, as was expected, has pursued the less honorable plan of decoy-

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ing his subjects thence by false pretences, to let themselves be invested by his troops, and this done, he dictates to them his own terms. Yet it is not certain the matter will end with that.

The Count de Moustier is nominated Minister Plenipotentiary to America, and a frigate is ordered to Cherbourg to carry him over. He will endeavor to sail by the middle of next month; but if any delay should make him pass over the whole of October, he will defer his voyage to the spring, being unwilling to undertake a winter passage. Monsieur de St. Priest is sent Ambassador to Holland, in the room of Monsieur de Verac, appointed to Switzerland. The Chevalier de la Luzerne might, I believe, have gone to Holland, but he preferred a general promise of promotion, and the possibility that it might be to the Court of London. His prospects are very fair. His brother, the Count de la Luzerne, (now Governor in the West Indies) is appointed Minister of the Marine, in the place of Monsieur De Castries, who has resigned. The Archbishop of Thoulouse is appointed *Ministre principal*, and his brother, Monsieur de Brienne, Minis- of War, in the place of Monsieur de Segur. The department of the Comptroller has had a very rapid succession of tenants. From Monsieur de Calonne it passed to Monsieur de Forqueux, from him to Villedeuil, and from him to Lambert, who holds it at present, but divided with a Monsieur Cabarrus, (whom I believe you knew in Spain,) who is named *Directeur du tresor royal*, the office into which M. Necker came at first. I had the honor to inform you, that before the departure of the Count de la Luzerne to his Government in the West Indies, I had pressed on him the patronage of our trade with the

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French Islands; that he appeared well disposed, and assured me he would favor us as much as his instructions, and the laws of the colonies would permit. I am in hopes these dispositions will be strengthened by his residence in the Islands, and that his acquaintance among the people there, will be an additional motive to favor them. Probably they will take advantage of his appointment, to press indulgence in commerce with us. The Ministry is of a liberal complexion, and well disposed to us. The war may add to the motives for opening their Islands to other resources for their subsistence, and for doing what may be agreeable to us. It seems to me, at present, then, that the moment of the arrival of the Count de la Luzerne, will be the moment for trying to obtain a freer access to their Islands. It would be very material to do this, if possible, in a permanent way; that is to say, by treaty; but I know of nothing we have to offer in equivalent. Perhaps the payment of our debt to them might be made use of as some inducement, while they are so distressed for money. Yet the borrowing the money in Holland, will be rendered more difficult by the same event, in proportion as it will increase the demand for money by other powers.

The gazettes of Leyden and France to this date are enclosed, together with some pamphlets on the internal affairs of this country.

I have the honor to be, &c.

TH: JEFFERSON.

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FROM THOMAS JEFFERSON TO JOHN JAY.

Paris, September 22, 1787.

Sir,

The letters of which the enclosed are copies, are this moment received, and as there is a possibility, that they may reach Havre before the packet sails, I have the honor of enclosing them to you. They contain a promise of reducing the duties on tar, pitch and turpentine, and that the government will interest itself with the city of Rouen to reduce the local duty on pot-ash. By this you will perceive, that we are getting on a little in this business; though under the present embarrassments it is difficult to procure the attention of the Ministers to it. The Parliament has enregistered the edict for a rigorous levy of the *deux vingtiemes*. As this was proposed to the King in lieu of the impost territorial, there is no doubt now, that the latter with the stamp tax will be immediately repealed. There can be no better proof of the revolution in the public opinion, as to the powers of the monarch, and of the force too of that opinion. Six weeks ago, we saw the King displaying the plenitude of his omnipotence, as hitherto conceived, to enforce these two acts. At this day he is forced to retract them, by public voice; for as to the opposition of the Parliament, that body is too little esteemed to produce the effect in any case, where the public do not throw themselves into the same scale.

I have the honor to be, &c.

TH: JEFFERSON.

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FROM THOMAS JEFFERSON TO JOHN JAY.

Paris, September 22, 1787.

Sir,

When I had the honor of addressing you this morning, intelligence was handing about, which I did not think well enough authenticated to communicate it to you. As it is now ascertained, I avail myself of the chance that another post may yet reach Havre before the departure of the packet. This will depend on the winds, which have for some days been unfavorable. I must premise that this Court, about ten days ago, declared by their Chargé d'Affaires in Holland, that if the Prussian troops continued to menace Holland with an invasion, his Majesty was determined in quality of an ally, to succor that province. An *official* letter from the Hague of the 18th instant, assures that the Prussian army entered the territory of Holland on the 15th, that most of the principal towns had submitted, some after firing a gun or two, others without resistance, that the Rhingrave de Salm had evacuated Utrecht with a part of the troops under his command, leaving behind him one hundred and forty four pieces of cannon with great warlike stores, that the standard of Orange was hoisted every where, that no other cockade could be worn at the Hague: that the States General were to assemble that night, for reinstating the Stadtholder in all his rights. The letter concludes "we have this moment intelligence that Woerden has capitulated; so that Amsterdam remains without defence." So far the letter; we knew otherwise that Monsieur de St. Priest, who had set out on his Embassy to the Hague, has stopped at Antwerp, not choosing to proceed further

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till new orders. This Court has been completely de ceived, first, by its own great desire to avoid a war, and secondly by calculating that the King of Prussia would have acted on principles of common sense, which would surely have dictated, that a power lying between the jaws of Russia and Austria, should not separate itself from France, unless, indeed he had assurances of dispositions in those two powers, which are not supposed to exist. On the contrary, I am persuaded that they ask the alliance of France, whom we suppose to be under hesitations between her reluctance to abandon the Turks, her jealousy of increasing by their spoils the power of the two Empires, and her inability to oppose them. If they cannot obtain her alliance, they will surely join themselves to England and Prussia.

Official advices are received, that the first division of the Russian army has passed the Borysthenes into the Polish Ukraine, and is marching towards the frontiers of Turkey. Thus we may consider the flames of war as completely kindled, in two distinct parts of this quarter of the globe, and that, though France and England has not yet engaged themselves in it, the probabilities are that they will do it.

I have the honor to be, &c.

TH: JEFFERSON.

FROM THOMAS JEFFERSON TO JOHN JAY.

Paris, September 24, 1787.

Sir,

The times are now so critical, that every day brings something new and important, not known the day before.

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Observing the wind still unfavorable, I am in hopes the packet may not sail to-morrow, and that this letter may be at Havre in time for that conveyance. Mr. Eden has waited on Count de Montmorin to inform him, officially, that England must consider its Convention with France, relative to the giving notice of its naval armaments, as at an end, and that they are arming generally. This is considered here as a declaration of war. The Dutch Ambassador told me yesterday, that he supposed the Prussian troops probably in possession of the Hague. I asked him if it would interrupt the course of business, commercial or banking, in Amsterdam; and particularly, whether our *depôt* of money there was safe. He said the people of Amsterdam would be surely so wise as to submit, when they should see that they could not oppose the Stadtholder; therefore, he supposed our *depôt* safe, and that there would be no interruption of business. It is the hour of the departure of the post; so I have only time to add assurances of the respect and esteem with which I have the honor to be, &c.

TH: JEFFERSON.

FROM THOMAS JEFFERSON TO JOHN ADAMS.

Paris, September 28, 1787.

Sir,

I received your favor by Mr. Cutting, and thank you sincerely for the copy of your book. The departure of a packet boat, which always gives me full employment for some time before, has only permitted me to look into it a little. I judge of it from the first volume, which I

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thought formed to do a great deal of good. The first principle of a good government, is certainly a distribution of its powers into executive, judiciary and legislative, and a subdivision of the latter, into two or three branches. It is a good step gained, when it is proved that the English constitution, acknowledged to be better than all which have preceded it, is only better, in proportion as it has approached nearer, to this distribution of powers. From this, the last step is easy, to shew, by a comparison of our constitutions with that of England, how much more perfect they are. The article of confederations, is certainly worthy of your pen. It would form a most interesting addition, to shew, what has been the nature of the confederations, which have existed hitherto, what were their excellencies, and what their defects. A comparison of ours with them, would be to the advantage of ours, and would increase the veneration of our countrymen for them. It is a misfortune that they do not sufficiently know the value of their constitutions, and how much happier they are rendered by them than any other people on earth, by the governments under which they live.

You know all that has happened in the United Netherlands. You know, also, that our friends Van Staphorsts, will be the most likely to become objects of severity, if any severities should be exercised. Is the money in their hands entirely safe? If it is not, I am sure you have already thought of it. Are we to suppose the game already up, and that the Stadtholder is to be re-established, perhaps erected into a Monarch, without the country lifting a finger in opposition to it? If so, it is a lesson the more for us. In fact, what a crowd of lessons

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do the present miseries of Holland teach us? Never to have an hereditary officer of any sort; never to let a citizen ally himself with Kings; never to call in foreign nations to settle domestic differences; never to suppose that any nation will expose itself to a war for us, &c. Still, I am not without hopes, that a good rod is in soak for Prussia, and that England will feel the end of it. It is known to some, that Russia made propositions to the Emperor and France, for acting in concert; that the Emperor consents, and has disposed four camps, of one hundred thousand men, from the limits of Turkey to those of Prussia. This Court hesitates, or rather its Premier hesitates, for the Queen, Montmorin and Breteuil are for the measure. Should it take place, all may yet come to rights, except for the Turks, who must retire from Europe, and this they must do, were France quixotic enough to support them. We, I hope, shall be left free to avail ourselves of the advantages of neutrality; and yet, much I fear, the English, or rather their stupid King, will force us out of it. For thus I reason, by forcing us into the war against them, they will be engaged in an expensive land war, as well as a sea war. Common sense dictates, therefore, that they should let us remain neutral, *ergo* they will not let us remain neutral. I never yet found any other general rule for foretelling what they will do, but that of examining what they ought not to do. I have the honor to be, with my best respects to Mrs. Adams, and sentiments of perfect esteem and regard to yourself, &c.

TH: JEFFERSGN.

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FROM THOMAS JEFFERSON TO C. W. F. DUMAS.

Paris, October 4, 1787.

Sir,

I received your favor of the 23rd of September, two days ago. That of the 28th and 29th was put in my hands this morning. I immediately waited on the Ambassadors, ordinary and extraordinary of the United Netherlands, and also on the Envoy of Prussia, and asked their good offices to have an efficacious protection extended to your person, your family, and your effects, observing that the United States knew no party; but are the friends and allies of the United Netherlands as a nation, and would expect, from their friendship, that the person who is charged with their affairs, until the arrival of a Minister, should be covered from all insult and injury which might be offered him by a lawless mob, well assured that their Minister residing with Congress would, on all occasions, receive the same. They have been so good as to promise, each, that he will, in his first despatches, press the matter on the proper power, and give me reason to hope, that it will be efficacious for your safety. I will transmit your letter to Mr. Jay, by the Count de Moustier, who sets out within a week, for New York, as Minister Plenipotentiary for France, in that country. I sincerely sympathize on your sufferings, and hope that what I have done may effect an end to them.

I have the honor to be, &c.

TH: JEFFERSON.

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FROM THOMAS JEFFERSON TO JOHN JAY.

Paris, October 8, 1787.

Sir,

I had the honor of writing you on the 19th of September, twice on the 22nd, and again on the 24th. The two first went by the packet, the 3rd by a vessel bound to Philadelphia. I have not yet learned by what occasion the last went. In these several letters, I communicated to you the occurrences of Europe, as far as they were known. Notwithstanding the advantages which the Emperor seemed to have gained over his subjects of Brabant, by the military arrangements he had been permitted to make under false pretexts, he has not obtained his ends. He certainly wished to enforce his new regulations; but he wished more to be cleared of all domestic difficulties, that he might be free to act in the great scenes, which are preparing for the theatre of Europe. He seems, therefore, to have instructed his Governor General of the Netherlands to insist on compliance, as far as could be insisted, without producing resistance by arms; but at the same time, to have furnished him with a sufficiently complete recantation, to prevent the effects of insurrection. The Governor pressed; the people were firm; a small act of force was then attempted, which produced a decided resistance, in which the people killed several of the military: the last resource was then used, which was the act of recantation; this produced immediate tranquillity, and every thing there is now finally settled by the Emperor's relinquishment of his plans.

My letter of the evening of September the 22nd, informed you that the Prussian troops had entered Holland,

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and that of the 24th, that England had announced to this Court that she was arming generally. These two events being simultaneous, proved that the two Sovereigns acted in concert. Immediately after, the Court of London announced to the other Courts of Europe, that if France entered Holland with an armed force, she would consider it as an act of hostility, and declare war against her; sending Mr. Grenville here, at the same time, to make what she called a conciliatory proposition. This proposition was received as a new insult, Mr. Grenville very coolly treated, and he has now gone back. It is said he has carried the ultimatum of France; what it is, particularly, has not transpired; it is only supposed, in general, to be very firm.

You will see in one of the Leyden gazettes, one of the letters written by the Ministers of England to the Courts of their respective residence, communicating the declaration before mentioned. In the meantime Holland has been sooner reduced by the Prussian troops, than could have been expected. The abandonment of Utrecht by the Rhingrave de Salm, seems to have thrown the people under a general panic, during which every place submitted except Amsterdam, that had opened conferences with the Duke of Brunswick; but as late as the 22nd instant no capitulation was yet concluded. The King of Prussia on his first move demanded categorically of the King of Poland, what part he intended to act in the event of war; the latter answered, he should act as events should dictate; and is in consequence of this species of menace from Prussia arming himself. He can bring into the field about seventy thousand good cavalry. In the meantime, though nothing transpires pub-

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licly of the confederation between France, and the two empires mentioned in my letter of September 19th, it is not the less sure that it is on the carpet, and will take place. To the circumstances before mentioned may be added, as further indications of war, the naming as Generallissimo of their Marine on the Atlantic, Monsieur de St. Suffrein; on the Mediterranean, Monsieur Albert de Rioms, the recalling Monsieur de St. Priest, their Ambassador, from Antwerp, before he had reached the Hague, and the activity in their armaments, by sea. On the other hand, the little movement by land, would make one suppose they expected to put the King of Prussia into other hands. They too, like the Emperor, are arranging matters at home. The rigorous duty of the *deux vingtiemes* is enregistered, the stamp act and impost territorial are revoked, the Parliament recalled, the nation soothed by these acts, and inspirited by the insults of the British Court. The part of the Council still leaning towards peace, are become unpopular, and perhaps may feel the effects of it. No change in the administration has taken place since my last, unless we may consider as such M. Cabarrus' refusal to stand in the lines. Thinking he should be forced to follow, too seriously, plans formed by others, he has declined serving. Should this war take place, as is quite probable, and should it be as general as it threatens to be, our neutrality must be attended with great advantages. Whether of a nature to improve our morals or our happiness is another question. But is it sure that Great Britain, by her searches, her seizures and other measures for harrassing us, will preserve our neutrality? I know it may be argued, that the land war which she would superadd to her sea war by provoking

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us to join her enemies, should rationally hold her to her good behavior with us. But since the accession of the present monarch, has it not been passion, and not reason, which, nine times out of ten, has dictated her measures? Has there been a better rule of prognosticating what he would do, than to examine what he ought not to do? When I review this disposition, and review his conduct, I have little hope of his permitting our neutrality. He will find subjects of provocation in various articles of our treaty with France, which will now come into view, in all their consequences, and in consequences very advantageous to the one and the other country. I suggest these doubts, on a supposition that our magazines are not prepared for war, and in the opinion that provisions for that event should be thought of.

The enclosed letter from Mr. Dumas came to me open, though directed to you. I immediately waited on the Ambassadors, ordinary and extraordinary of Holland, and the Envoy of Prussia, I prayed them to interest themselves to have his person, his family, and his goods protected. They promised me readily to do it, and have written accordingly, I trust it will be with effect. I could not avoid enclosing you the letter from Monsieur Bourbé, though I have satisfied him he is to expect nothing from Congress for his inventions. These are better certified than most of those things are; but if time stamps their worth, time will give them to us. He expects no further answer. The Gazettes of Leyden and France to this date accompany this, which will be delivered you by the Count de Moustier, Minister Plenipotentiary from this country. I have the honor to be &c.

TH: JEFFERSON.

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FROM THOMAS JEFFERSON TO JOHN JAY.

(Private.)

Paris, October 8, 1787.

Sir,

The Count de Moustier, Minister Plenipotentiary from the Court of Versailles to the United States, will have the honor of delivering you this. The connexion of your offices will necessarily connect you in acquaintance; but, I beg leave to present him to you, on account of his personal, as well as his public character. You will find him open, communicative, candid, simple in his manners, and a declared enemy to ostentation and luxury. He goes, with a resolution to add no aliment to it by his example, unless he finds that the dispositions of our countrymen require it indispensably. Permit me, at the same time, to solicit your friendly notice, and through you, that also of Mrs. Jay, to Madame la Marquise de Brehan, sister-in-law to Monsieur de Moustier. She accompanies him, in hopes that a change of climate may assist her feeble health, and also, that she may procure a more valuable education for her son, and safer from seduction in America, than in France. I think it impossible to find a better woman, more amiable, more modest, more simple in her manners, dress, and way of thinking. She will deserve the friendship of Mrs. Jay, and the way to obtain hers, is to receive and treat her without the shadow of etiquette.

The Count d'Aranda leaves us in a day or two. He desired me to recall him to your recollection, and to assure you of his friendship. In a letter, which I mean as a private one, I may venture details too minute for a public one, yet not unamusing, or unsatisfactory. I may

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venture names, too, without the danger of their getting into a newspaper. There has long been a division in the Council here, on the question of war and peace. Monsieur de Montmorin and Monsieur de Breteuil have been constantly for war. They are supported in this by the Queen. The King goes for nothing. He hunts one half the day, is drunk the other, and signs whatever he is bid. The Archbishop of Thoulouse desires peace. Though brought in by the Queen, he is opposed to her in this capital object, which would produce an alliance with her brother. Whether the Archbishop will yield or not, I know not. But an intrigue is already begun for ousting him from his place, and it is rather probable it will succeed. He is a good and patriotic Minister for peace, and very capable in the department of finance. At least, he is so in theory. I have heard his talents for execution censured. Can I be useful here to Mrs. Jay or yourself, in executing any commissions, great or small? I offer you my services with great cordiality. You know whether any of the wines of this country may attract your wishes. In my tour, last spring, I visited the best vineyards of Burgundy, Cote-rotie, Hermitage, Lunelle, Frontignan, and white and red Bourdeaux, got acquainted with the proprietors, and can procure for you the best crops from the vigneron himself. Mrs. Jay knows if there is any thing else here, in which I could be useful to her. Command me without ceremony, as it will give me real pleasure to serve you, and be assured of the sincere attachment and friendship with which I am, &c.

TH: JEFFERSON.

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FROM THOMAS JEFFERSON TO M. LE COMTE DE MOUSTIER.

Paris, October 9, 1787.

Mr. Jefferson has the honor of presenting his respects to Monsieur le Comte de Moustier, and of taking leave of him by letter, which he is prevented doing in person, by an unexpected visit to Versailles to-day. He will hope to have the pleasure of sometimes hearing from him, and will take the liberty, occasionally, of troubling him with a letter. He considers the Count de Moustier as forming, with himself, the two end links of that chain which holds the two nations together; and is happy to have observed in him, dispositions to strengthen rather than to weaken it. It is a station of importance, as on the cherishing good dispositions and quieting bad ones, will depend, in some degree, the happiness and prosperity of the two countries. The Count de Moustier will find the affections of the Americans with France, but their habits with England. Chained to that country by circumstances, embracing what they they loathe, they realize the fable of the living and the dead bound together. Mr. Jefferson troubles the Count de Moustier with two letters, to gentlemen whom he wishes to recommend to his particular acquaintance, and to that of Madame de Brehan. He bids Monsieur de Moustier a most friendly adieu, and wishes him every thing which may render agreeable his passage across the water, and his residence beyond it.

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FROM THOMAS JEFFERSON TO C. W. F. DUMAS.

Paris, October 14, 1787.

Sir,

I have duly received your favors of October the 23rd, and 26th. With respect to the mission you suggest in the former, no powers are lodged in the hands of Mr. Adams and myself. Congress commissioned Mr. Adams, Doctor Franklin and myself, to treat with the Emperor on the subjects of amity and commerce; at the same time they gave us the commission to Prussia, in which you are acquainted. We proposed treating through the Imperial Ambassador here. It was declined on their part, and our powers expired, having been given but for two years. Afterwards, the same Ambassador here, was instructed to offer to treat with us. I informed him our powers were expired, but that I would write to Congress on the subject. I did so, but have never yet received an answer. Whether this proceeds from a change of opinion in them, or from the multiplicity of their occupations, I am unable to say. But this state of facts will enable you to see, that we have no powers in this instance, to take the measures you had thought of. I sincerely sympathize with you in your sufferings. Though forbidden by my character, to meddle in the internal affairs of an allied State, it is the wish of my heart that their troubles may have such an issue, as will secure the greatest degree of happiness to the body of the people; for it is with the mass of the nation we are allied, and not merely with their governors. To inform the minds of the people, and to follow their will, is the chief duty of those placed at their head. What party, in your late struggles, was

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most likely to do this, you are more competent to judge than I am. Under every event, that you may be safe and happy, is the sincere wish of him, who has the honor to be, &c.

TH: JEFFERSON.

FROM THOMAS JEFFERSON TO THE COUNT DE MONTMORIN.

Paris, October 23, 1787.

Sir,

I take the liberty of troubling your Excellency on the subject of the *arrêt*, which has lately appeared, for prohibiting the importation of whale oils, and spermaceti, the produce of foreign fisheries. This production being expressed in general terms, seems to exclude the whale oils of the United States of America, as well as of the nations of Europe. The uniform disposition, however, which his Majesty and his Ministers have shewn to promote the commerce between France and the United States by encouraging our productions to come hither, and particularly those of our fisheries, induces me to hope that these were not within their view, at the passing of this *arrêt*. I am led more into this opinion, when I recollect the assiduity exercised for several months in the year 1785, by the Committee appointed by Government to investigate the objects of commerce of the two countries, and to report the encouragements of which it was susceptible; the result of that investigation, which his Majesty's Comptroller General did me the honor to communicate, in a letter of 22nd of October, 1786, stating therein the principles which should be established for the future regu-

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lation of that commerce, and particularly distinguishing the article of whale oils by an abatement of the duties on them for the present, and a promise of farther abatements after the year 1790; the thorough re-investigation with which Monsieur de Lambert honored this subject, when the letter of 1786 was to be put into the form of an *arrêt*; that *arrêt* itself, bearing date the 29th of December last, which ultimately confirmed the abatements of duty present and future, and declared that his Majesty reserved to himself, to grant other favors to that production, if on further information, he should find it for the interest of the two nations; and finally the letter in which Monsieur de Lambert did me the honor to enclose the *arrêt*, and to assure me that the duties which had been levied on our whale oils, contrary to the intention of the letter of 1786, should be restored. On a review then of all these circumstances, I cannot but presume, that it has not been intended to reverse, in a moment, views so maturely digested and uniformly pursued; and that the general expressions of the *arrêt* of September the 28th had, within their contemplation, the nations of Europe only; this presumption is further strengthened by having observed, that in the treaties of commerce made since the epoch of our independence, the *jura gentis amicissimæ* conceded to other nations, are expressly restrained to those of the "most favored *European* nation"; his Majesty wisely foreseeing that it would be expedient to regulate the commerce of a nation, which brings nothing but raw materials to employ the industry of his subjects, very differently from that of other European nations, who bring mostly what has already passed through all the stages of manufacture.

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On these circumstances I take the liberty of asking information from your Excellency, as to the extent of the late *arrêt*; and if I have not been mistaken in supposing it did not mean to abridge that of December the 29th. I would solicit an explanatory *arrêt*, to prevent the misconstructions of it, which will otherwise take place. It is much to be desired too that this explanation could be given as soon as possible, in order that it may be handed out with the *arrêt* of September the 28th. Great alarm may otherwise be spread among the merchants and adventurers in the fisheries, who, confiding in the stability of regulations, which his Majesty's wisdom had so long and well matured, have embarked their fortunes in speculations, in this branch of business.

The importance of the subject to one of the principal members of our Union, induces me to attend with great anxiety the re-assurance from your Excellency, that no change has taken place in his Majesty's views on this subject; and that his dispositions to multiply, rather than diminish, the combinations of interest, between the two people continue unaltered.

Commerce is slow in changing its channel. That between this country and the United States is as yet but beginning; and this beginning has received some checks. The *arrêt* in question would be a considerable one, without the explanation I have the honor to ask. I am persuaded that a continuation of the dispositions which have been hitherto manifested towards us, will ensure effects political and commercial, of value to both nations.

I have had too many proofs of the friendly interest your Excellency is pleased to take in whatever may strengthen the bonds, and connect the views of the two

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countries, to doubt your patronage of the present application, or to pretend any occasion of repeating assurances, of those sentiments of high respect and esteem, with which

I have the honor to be, &c.

TH: JEFFERSON.

FROM THOMAS JEFFERSON TO JOHN JAY.

Paris, November 3, 1787.

Sir,

My last letters to you were of the 8th and 27th of October. In the former, I mentioned to you the declaration of this country, that they would interpose with force if the Prussian troops entered Holland; the entry of those troops into Holland; the declaration of England, that if France did oppose force, they would consider it as an act of war. The naval armaments on both sides; the nomination of the Bailli de Suffrein as Generalissimo on the ocean; and the cold reception of Mr. Grenville here, with his conciliatory propositions, as so many symptoms which seemed to indicate a certain and immediate rupture. It was, indeed, universally and hourly expected. But the King of Prussia, a little before these last events, got wind of the alliance on the carpet between France and the two Empires; he awoke to the situation in which that would place him; he made some applications to the Court of St. Petersburgh, to divert the Empress from the proposed alliance, and supplicated the Court of London not to abandon him. That Court had also received a hint of the same project. Both seemed to suspect, for the first time, that it would be pos-

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sible for France to abandon the Turks, and that they were likely to get more than they had played for at Constantinople; for they had meant nothing more there, than to divert the Empress and Emperor from the affairs of the west, by employing them in the east, and at the same time to embroil them with France as the patroness of the Turks. The Court of London engaged not to abandon Prussia; but both of them relaxed a little the tone of their proceedings. The King of Prussia sent a Mr. Alvensleben here, expressly to explain and soothe; the King of England, notwithstanding the cold reception of his propositions by Grenville, renewed conferences here through Eden and the Duke of Dorset. The Minister, in the affection of his heart for peace, readily joined in conference, and a declaration and a counter-declaration, were cooked up at Versailles, and sent to London for approbation. They were approved, arrived here at one o'clock the 27th, were signed that night at Versailles, and on the next day I had the honor of enclosing them to you, under cover to the Count de Moustier, whom I supposed still at Brest, dating my letter as of the 27th, by mistake, for the 28th. Lest, however, these papers should not have got to Brest before the departure of the Count de Moustier, I now enclose you other copies. The English declaration states a notification of this Court, in September, by Barthelemy, their Minister at London, "that they would send succors into Holland," as the first cause of England's arming; desires an explanation of the intentions of this Court, as to the affairs of Holland, and proposes to disarm; on condition, however, that the King of France shall not retain any hostile views in any quarter, for what has been done in Holland. This

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last phrase was to secure Prussia, according to promise. The King of France acknowledges the notification by his Minister at London, promises he will do nothing in consequence of it, declares he has no intention to intermeddle with force in the affairs of Holland, and that he will entertain hostile views in no quarter, for what has been done there. He disavows having ever had any intention to interpose with force, in the affairs of that republic. This disavowal begins the sentence which acknowledges, he had notified the contrary to the Court of London, and it includes no apology to soothe the feelings, which may be excited in the breasts of the Patriots of Holland, at hearing the King declare he never did intend to aid them with force, when promises to do this, were the basis of those very attempts to better the constitution, which have ended in its ruin, as well as their own.

I have analyzed these declarations, because, being somewhat wrapped up in their expressions, their full import might escape, on a transient reading; and it is necessary it should not escape. It conveys to us the important lesson, that no circumstances of morality, honor, interest, or engagement, are sufficient to authorize a secure reliance on any nation, at all times, and in all positions. A moment of difficulty, or a moment of error, may render forever useless the most friendly dispositions in the King, in the major part of his Ministers, and the whole of his nation. The present pacification is considered by most, as only a short truce. They calculate on the spirit of the nation, and not on the agued hand which guides its movements. It is certain, that from this moment the whole system of Europe changes. Instead

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of counting together England, Austria and Russia, as heretofore, against France, Spain, Holland, Prussia and Turkey, the division will probably be, England, Holland, and Prussia, against France, Austria, Russia and perhaps Spain. This last power is not sure, because the disposition of its heir apparent is not sure. But whether the present be truce or peace, it will allow time to mature the conditions of the alliance between France and the two Empires, always supposed to be on the carpet. It is thought to be obstructed by the avidity of the Emperor, who would swallow a good part of Turkey, Silesia, Bavaria, and the rights of the Germanic body. To the two or three first articles, France might consent, receiving in gratification a well rounded portion of the Austrian Netherlands, with the Islands of Candia, Cyprus, Rhodes, and perhaps Lower Egypt. But all this is in embryo, uncertainly known, and counterworked by the machinations of the Courts of London and Berlin.

The following solution of the British armaments, is supposed in a letter of the 25th ultimo, from Colonel Blachden, of Connecticut, now at Dunkirk, to the Marquis de la Fayete. I will cite it in his own words: "A gentleman who left London two days ago, and came to this place to day, informs me, that it is now generally supposed, that Mr. Pitt's great secret, which has puzzled the whole nation so long, and to accomplish which design, the whole force of the nation is armed, is to make a vigorous effort for the recovery of America. When I recollect the delay they have made in delivering the forts in America, and that little more than a year ago, one of the British Ministry wrote to the King a letter, in which were these remarkable words: "if your Majesty pleases,

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America may yet be yours;" add to this, if it were possible for the present Ministry in England to effect such a matter, they would secure their places, and their power, for a long time, and should they fail in the end, they would be certain of holding them during the attempt, which it is in their power to prolong as much as they please, and, at all events, they would boast of having endeavored the recovery of what a former Ministry had abandoned; it is possible." A similar surmise has come in a letter from a person in Rotterdam, to one at this place. I am satisfied the King of England believes the mass of our people to be tired of their independence, and desirous of returning under his government; and, that the same opinion prevails in the Ministry and nation. They have hired their newswriters to repeat this lie in their gazettes so long, that they have become the dupes of it themselves. But there is no occasion to recur to this, in order to account for their arming. A more rational purpose avowed, that purpose executed, and when executed, a solemn agreement to disarm, seem to leave no doubt, that the re-establishment of the Stadtholder was their object. Yet, it is possible, that having found that this Court will not make war in this moment for any ally, new views may arise, and they may think the moment favorable, for executing any purposes they may have, in our quarter. Add to this, that reason is no aid in calculating their movements. We are, therefore, never safe till our magazines are filled with arms. The present season of truce or peace, should, in my opinion, be improved without a moment's respite, to effect this essential object, and no means be omitted, by which money may be obtained for the purpose. I say this,

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however, with due deference to the opinion of Congress, who are better judges of the necessity and practicability of the measure.

I mentioned to you, in a former letter, the application I had made to the Dutch Ambassadors and Prussian Envoy, for the protection of Mr. Dumas. The latter soon after received an assurance, that he was put under the protection of the States of Holland; and the Dutch Ambassador called on me a few days ago, to inform me, by instructions from his constituents, "that the States General had received a written application from Mr. Adams, praying their protection of Dumas, that they had instructed their *Greffier*, Fagel, to assure Mr. Adams by letter, that he was under the protection of the States of Holland; but to inform him at the same time, that Mr. Dumas' conduct, out of the line of his office, had been so extraordinary, that they would expect *de l'honnêteté de* Mr. Adams, that he would charge some other person with the affairs of the United States, during his absence."

Your letter of September the 8th has been duly received. I shall pay due attention to the instructions relative to the medals, and give any aid I can in the case of Boss' vessel. As yet, however, my endeavors to find Monsieur Pauly, *avocat au conseil d'état, rue coquilliere*, have been ineffectual. There is no such person living in that street. I found a Monsieur Pauly, *avocat au Parlement*, in another part of the town; he opened the letter, but said it could not mean him. I shall advertise in the public papers; if that fails, there will be no other chance of finding him. Mr. Warnum will do well, therefore, to send some other description by

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which the person may be found. Indeed some friend of the party interested should be engaged to follow up this business, as it will require constant attention, and probably a much larger sum of money, than that named in the bill enclosed in Mr. Warnum's letter.

I have the honor to enclose you a letter from O'Bryen to me, containing information from Algiers, and one from Mr. Montgomery at Alicant. The purpose of sending you this last, is to show you how much the difficulties of ransom are increased since the Spanish negotiations. The Russian captives have cost about eight thousand livres a piece on an average. I certainly have no idea that we should give any such sum; and therefore if it should be the sense of Congress to give such a price, I would be glad to know it by instruction. My idea is, that we should not ransom, but on the footing of the nation which pays least, that it may be as little worth their while to go in pursuit of us, as any nation. This is cruelty to the individuals now in captivity, but kindness to the hundreds that would soon be so, were we to make it worth the while of those pirates to go out of the straits in quest of us. As soon as money is provided, I shall put this business into train. I have taken measures to damp at Algiers, all expectations of our proposing to ransom at any price. I feel the distress which this must occasion to our countrymen there, and their connexions; but the object of it is their ultimate good, by bringing down their holders to such a price as we ought to pay, instead of letting them remain in such expectations as cannot be gratified. The gazettes of France and Leyden accompany this. I have the honor to be, &c.

TH: JEFFERSON.

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[The annexed are translations of the declaration and counter-declaration, referred to in the preceding letter.]

DECLARATION.

The events which have taken place in the republic of the United Provinces, appearing no longer to leave any subject of discussion, and still less of dispute, between the two Courts, the undersigned are authorized to ask, if it be the intention of his most Christian Majesty to act in pursuance of the notification given, on the 16th of last month by the Minister Plenipotentiary of his most Christian Majesty, which, announcing his purpose of aiding Holland, has occasioned maratime armaments on the part of his Majesty, which armaments have become reciprocal.

If the Court of Versailles is disposed to explain itself on this subject, and on the conduct adopted towards the republic, in a manner conformable to the desire evinced by each party, to procure a good understanding between the two Courts, it being also understood, at the same time, that no hostile view is entertained, in any quarter, in consequence of the past; his Majesty, always eager to manifest his concurrence in the friendly sentiments of his most Christian Majesty, agrees forthwith that the armaments, and, in general, all preparations for war, shall be mutually discontinued, and that the marines of the two nations shall be placed on the footing of a peace establishment, such as existed on the first of January of the present year.

DORSET,
WM. EDEN.

At Versailles, the 27th of October, 1787.

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COUNTER-DECLARATION.

It neither being, nor ever having been, the intention of his Majesty to interpose, by force, in the affairs of the republic of the United Provinces, the communication made to the Court of London by Mr. Barthelemy, having had no other object than to announce to that Court an intention, the motives of which no longer exist, *especially since the King of Prussia has made known his resolution*, his Majesty makes no difficulty in declaring that he has no wish to act in pursuance of the communication aforesaid, and that he entertains no hostile view in any quarter, relative to what has passed in Holland.

Consequently, his Majesty, desiring to concur in the sentiments of his Britannic Majesty, for the preservation of a good understanding between the two Courts, consents with pleasure to the proposition of his Britannic Majesty, that the armaments, and, in general, all preparations for war, shall be mutually discontinued, and that the navies of the two nations shall be replaced upon the footing of the peace establishment, as it existed on the first day of January of the present year.

MONTMORIN.

At Versailles, the 27th October, 1787.

FROM THOMAS JEFFERSON TO JOHN JAY.

(Private.)

Paris, November 3, 1787.

Dear Sir,

I shall take the liberty of confiding sometimes to a private letter, such details of the small history of the

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court or cabinet, as may be worthy of being known, and yet not proper to be publicly communicated. I doubt whether the administration is yet in a permanent form. The Count de Montmorin and Baron de Breteuil, are, I believe, firm enough in their places. It was doubted whether they would wait for the Count de la Luzerne, if the war had taken place; but, at present, I suppose they will. I wish it, also, because M. de Hector, his only competitor, has on some occasions, shewn little value for the connexion with us. Lambert, the Comptroller General, is thought to be very insecure. I should be sorry, also, to lose him. I have worked several days with him, the Marquis de la Fayette, and Monsieur du Pont, (father of the young gentleman gone to America with the Count de Moustier) to reduce into one *arrêt*, whatever concerned our commerce. I have found him a man of great judgment and application, possessing good general principles on subjects of commerce, and friendly dispositions towards us. He passed the *arrêt*, in a very favorable form, but it has been opposed in the Council, and will, I fear, suffer some alteration in the article of whale oil. That of tobacco, which was put into a separate instrument, experiences difficulties also, which do not come from him. M. du Pont has rendered us essential services on these occasions. I wish his son could be so well noticed, as to make a favorable report to his father; he would, I think, be gratified by it, and his good dispositions be strengthened, and rendered further useful to us. Whether I shall be able to send you these regulations by the present packet, will depend on their getting through the Council in time. The Archbishop continues well with his patroness. Her object is,

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a close connexion with her brother. I suppose he convinces her, that peace will furnish the best occasion of cementing that connexion.

It may not be uninstructive, to give you the origin and nature of his influence with the Queen. When the Duke de Choiseul proposed the marriage of the Dauphin with this lady, he thought it proper to send a person to Vienna, to perfect her in the language. He asked his friend, the Archbishop of Thoulouse, to recommend to him a proper person. He recommended a certain Abbé. The Abbé, from his first arrival at Vienna, either tutored by his patron, or prompted by gratitude, impressed on the Queen's mind, the exalted talents and merits of the Archbishop, and continually represented him as the only man fit to be placed at the helm of affairs. On his return to Paris, being retained near the person of the Queen, he kept him constantly in her view. The Archbishop was named of the *Assemblée des Notables*, had occasion enough there to prove his talents, and Count de Vergennes, his great enemy, dying opportunely, the Queen got him into place. He uses the Abbé even yet, for instilling all his notions into her mind. That he has imposing talents and patriotic dispositions, I think, is certain. Good judges think him a theorist only, little acquainted with the details of business, and spoiling all his plans by a bungling execution. He may, perhaps, undergo a severe trial. His best actions are exciting against him a host of enemies, particularly the reduction of the pensions, and reforms in other branches of economy. Some think the other Ministers are willing he should stay in, till he has effected this odious, yet necessary work, and that they will then make

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him the scape-goat of the transaction. The declarations too, which I send you in my public letter, if they should become public, will probably raise a universal cry. It will all fall on him, because Montmorin and Breteuil say, without reserve, that the sacrifice of the Dutch has been against their advice. He will, perhaps, not permit these declarations to appear in this country. They are absolutely unknown; they were communicated to me by the Duke of Dorset, and I believe no other copy has been given here. They will be published doubtless in England, as a proof of their triumph, and may from thence make their way into this country. If the Premier can stem a few months, he may remain long in office, and will never make war if he can help it. If he should be removed, the peace will probably be short. He is solely chargeable with the loss of Holland. True, they could not have raised money by taxes, to supply the necessities of war; but could they do it were their finances ever so well arranged? No nation makes war now-a-days, but by the aid of loans: and it is probable, that in a war for the liberties of Holland, all the treasures of that country would have been at their service. They have now lost the cow which furnishes the milk of war. She will be on the side of their enemies, whenever a rupture shall take place; and no arrangement of their finances can countervail this circumstance.

I have no doubt you permit access to the letters of your foreign Ministers, by persons only of the most perfect trust. It is in the European system to bribe the clerks high, in order to obtain copies of interesting papers. I am sure you are equally attentive to the conveyance of your letters to us, as you know that all are

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opened that pass through any post office of Europe. Your letters which come by the packet, if put into the mail at New York, or into the post office at Havre, wore proofs that they had been opened. The passenger to whom they are confided, should be cautioned always to keep them in his own hands, till he can deliver them personally in Paris.

I have the honor to be, &c.

TH: JEFFERSON.

FROM THOMAS JEFFERSON TO THE COUNT DE MONTMORIN.

Paris, November 6, 1787.

Sir,

I take the liberty of asking your Excellency's perusal of the enclosed case of an American hostage, confined in the prisons of Dunkirk. His continuance there seems to be useless and yet endless. Not knowing how far the Government can interfere for his relief, as it is a case wherein private property is concerned, I do not presume to ask his liberation absolutely, but I will solicit from your Excellency such measures in his behalf, as the laws and usages of the country may permit.

The Comptroller General having been so good as to explain to me in a conversation, that he wished to know what duties were levied in England on American whale oil, I have had the honor of informing him by letter, that the ancient duties on that article are seventeen pounds six shillings and six pence sterling the ton, and that some late additional duties make them amount to about eighteen pounds sterling. That the common whale oil sells there

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but for about 20 pounds sterling the ton, and of course the duty amounts to a prohibition. This duty was originally laid on all foreign fish oil, with a view to favor the British and American fisheries. When we became independent, and of course foreign to Great Britain, we became subject to the foreign duty. No duty, therefore, which France may think proper to lay on this article, can drive it to the English market. It could only oblige the inhabitants of Nantucket to abandon their fisheries. But the poverty of their soil offering them no other resource, they must quit their country, and either establish themselves in Nova-Scotia, where, as British fishermen, they may participate of the British premium, in addition to the ordinary price of their whale oil, or they must accept the conditions which this Government offers for the establishment they have proposed at Dunkirk. Your Excellency will judge, what conditions may counterbalance in their minds, the circumstances of the vicinity of Nova-Scotia, sameness of language, laws, religion, customs and kindred. Remaining in their native country, to which they are most singularly attached, excluded from commerce with England, taught to look to France as the only country from which they can derive sustenance, they will in case of war, become useful rovers against its enemies. Their position, their poverty, their courage, their address and their hatred, will render them formidable scourges on the British commerce, it is to be considered then on the one hand, that the duty which M. de Calonne had proposed to retain on this oil, may endanger the shifting this useful body of seamen out of our joint scale into that of the British; and, also, may suppress a considerable subject of exchange for the productions of

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France. On the other hand, that it may produce an addition to his Majesty's revenue. What I have thus far said, is on the supposition that the duty may operate as a diminution of the price received by the fisherman. If it act in the contrary direction, and produce an augmentation of price to the consumer, it immediately brings into competition a variety of other oils, vegetable and animal, a good part of which France receives from abroad; and the fisherman thus losing his market, is compelled equally to change either his calling or country. When M. de Calonne first agreed to reduce the duties to what he has declared, I had great hopes the commodity could bear them, and that it would become a medium of commerce between France and the United States. I must confess, however, that my expectations have not been fulfilled, and that little has come here as yet. This induces me to fear that it is so poor an article, that any duty whatever will suppress it. Should this take place, and the spirit of emigration once seize those people, perhaps an abolition of all duty might then come too late to stop what it would now easily prevent. I fear there is danger in the experiment, and it remains for the wisdom of his Majesty and his Ministers to decide, whether the prospect of gain to the revenue, or establishing a national fishery, may compensate this danger. If the Government should decide to retain the duty, I shall acquiesce in it cheerfully, and do every thing in my power to encourage my countrymen still to continue their occupation.

The actual session of our several legislatures, would render it interesting to forward, immediately, the regulations proposed on our commerce; and the expiration of the

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order of Bernis, at the close of this month, endangers a suspension and derangement in the commerce of tobacco, very embarrassing to the merchants of the two countries. Pardon me, therefore, sir, if I appear solicitous to obtain the ultimate decision of his Majesty's Council on these subjects, and to ask as early a communication of that decision as shall be convenient.

I have the honor to be, &c.

TH: JEFFERSON.

FROM THOMAS JEFFERSON TO JOHN ADAMS.

Paris, November 13, 1787.

Dear Sir,

This will be delivered you by young Mr. Rutledge. Your knowledge of his father will introduce him to your notice. He merits it, moreover, on his own account.

I am now to acknowledge your favors of October the 8th and 26th. That of August the 25th was duly received, nor can I recollect by what accident I was prevented from acknowledging it, in mine of September the 28th. It has been the source of my subsistence hitherto, and must continue to be so, till I receive letters on the affairs of money from America. Van Staphorsts and Willinks have answered my drafts. Your books for the Marquis de la Fayette are received here. I will notify it to him, who is at present with his Provincial Assembly in Auvergne.

Little is said lately of the progress of the negotiations tween the Courts of Petersburg, Vienna and Versailles. The distance of the former, and the cautious, unassum-

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ing character of its Minister here, is one cause of delays; a greater one is, the greediness and unstable character of the Emperor. Nor do I think that the principal here, will be easily induced to lend himself to any connexion, which shall threaten a war within a considerable number of years. His own reign will be that of peace only, in all probability; and were any accident to tumble him down, this country would immediately gird on its sword and buckler, and trust to occurrences for supplies of money. The wound their honor has sustained, festers in their hearts; and it may be said, with truth, that the Archbishop, and a few priests determined to support his measures, because, proud to see their order come again into power, are the only advocates for the line of conduct which has been pursued. It is said, and believed through Paris, literally, that the Count de Montmorin, "*pleuroit comme un enfant,*" when obliged to sign the counter-declaration. Considering the phrase as figurative, I believe it expresses the distress of his heart, indeed he has made no secret of his individual opinion. In the meantime the principal goes on with a firm and patriotic spirit, in reforming the cruel abuses of the Government, and preparing a new constitution, which will give to this people as much liberty, as they are capable of managing. This, I think, will be the glory of his administration, because, though a good theorist in finance, he is thought to execute badly. They are about to open a loan of one hundred millions to supply present wants, and it is said the preface of the *arrêt* will contain a promise of the convocation of the States General, during the ensuing year. Twelve or fifteen Provincial Assemblies are already in action and are going on well; and I

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think, that though the nation suffers in reputation, it will gain infinitely in happiness, under the present administration. I enclose to Mr. Jay, a pamphlet, which I will beg of you to forward. I leave it open for your perusal. When you shall have read it, be so good as to stick a wafer in it. It is not yet published, nor will be for some days. This copy has been ceded to me as a favor.

How do you like our new constitution? I confess there are things in it, which stagger all my dispositions to subscribe to what such an assembly has proposed. The house of federal representatives, will not be adequate to the management of affairs, either foreign or federal. Their President seems a bad edition of a Polish King. He may be elected from four years to four years, for life. Reason and experience prove to us, that a chief magistrate, so continuable, is an officer for life. When one or two generations shall have proved that this is an office for life, it becomes, on every succession, worthy of intrigue, of bribery, of force, and even of foreign interference. It will be of great consequence to France and England, to have America governed by a Galloman or Angloman. Once in office, and possessing the military force of the Union, without the aid or check of a Council, he would not be easily dethroned, even if the people could be induced to withdraw their votes from him. I wish, that at the end of the four years, they had made him forever ineligible a second time. Indeed, I think all the good of this new constitution might have been couched in three or four new articles, to be added to the good, old and venerable fabric, which should have been preserved, even as a religious relique. Present me and my daughters, affectionately to Mrs. Adams. The

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younger one continues to speak of her warmly. Accept yourself, assurances of the sincere esteem and respect with which

I have the honor to be, &c.

TH: JEFFERSON.

FROM THOMAS JEFFERSON TO COLONEL SMITH.

Paris, November 13, 1787.

Dear Sir,

I am now to acknowledge the receipt of your favors of October the 4th, 8th, and 26th. In the last you apologize for your letters of introduction to Americans coming here. It is so far from needing apology on your part, that it calls for thanks on mine. I endeavor to show civilities to all the Americans who come here, and who will give me opportunities of doing it. And it is a matter of comfort to know, from a good quarter, what they are, and how far I may go in my attentions to them.

Can you send me Woodmanson's bills for the two copying presses for the Marquis de Lafayette and the Marquis de Chastellux? The latter makes one article in the considerable account, of old standing, and which I cannot present for want of this article. I do not know whether it is to yourself or Mr. Adams, that I am to give my thanks for the copy of the new constitution. I beg leave, through you, to place them where due. It will yet be three weeks before I shall receive them from America There are very good articles in it, and very bad. I do not know which preponderate. What we have lately read in the history of Holland, in the chapter on the

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Stadtholder, would have sufficed to set me against a chief magistrate, eligible for a long duration, if I had ever been disposed towards one. And what we have always read of the elections of Polish Kings, should have forever excluded the idea of one continuable for life.

Wonderful is the effect of impudent and persevering lying. The British Ministry have so long hired their gazetteers, to repeat and model into every form, lies about our being in anarchy, that the world has at length believed them, the English nation has believed them, the Ministers themselves have come to believe them, and what is more wonderful, we have believed them ourselves. Yet where does this anarchy exist? Where did it ever exist, except in the single instance of Massachusetts? And can history produce an instance of rebellion so honorably conducted? I say nothing of its motives. They were founded in ignorance, not wickedness. God forbid we should ever be twenty years without such a rebellion. The people cannot be all, and always, well informed. The part which is wrong will be discontented, in proportion to the importance of the facts they misconceive. If they remain quiet under such misconceptions, it is a lethargy, the forerunner of death to the public liberty. We have had thirteen States independent for eleven years. There has been one rebellion. That comes to one rebellion in a century and a half, for each State. What country before, ever existed a century and a half without a rebellion? And what country can preserve its liberties, if its rulers are not warned, from time to time, that this people preserve the spirit of resistance? Let them take arms. The remedy is to set them right as to facts, pardon and pacify them. What signify a few lives

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lost in a century or two? The tree of liberty must be refreshed, from time to time, with the blood of patriots and tyrants. It is its natural manure. Our Convention has been too much impressed by the insurrection of Massachusetts; and, on the spur of the moment, they are setting up a kite to keep the hen yard in order. I hope in God, this article will be rectified, before the new constitution is accepted. You ask me, if any thing transpires here on the subject of South America? Not a word. I know that there are combustible materials there, and that they wait the torch only. But this country, probably will join the extinguishers. The want of facts, worth communicating to you, has occasioned me to give a little loose to dissertation. We must be contented to amuse when we cannot inform.

Present my respects to Mrs. Smith, and be assured of the sincere esteem of, dear sir, your friend and servant,

TH: JEFFERSON.

FROM THOMAS JEFFERSON TO WILLIAM CARMICHAEL.

Paris, December 11, 1787.

Dear Sir,

I am later in acknowledging the receipt of your favors of October the 15th, and November the 5th, and 15th, because we have been long expecting a packet, which I hoped would bring communications worth detailing to you, and she arrived only a few days ago, after a very long passage indeed. I am very sorry you have not been able to make out the cypher of my letter of September the 25th, because it contained things which I wished you

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to know at that time. They have lost now a part of their merit; but still I wish you could decypher them, as there remains a part, which it yet might be agreeable to you to understand. I have examined the cypher from which it was written. It is precisely a copy of those given to Messrs. Barclay and Lamb. In order that you may examine whether yours correspond, I will now translate into cypher, the three first lines of my letter of June the 14.

* * * * * *.

This will serve to shew, whether your cypher corresponds with mine, as well as my manner of using it. But I shall not use it in future, till I know from you the result of your re-examination of it. I have the honor now, to return you the letter you had been so good as to enclose to me. About the same time of Liston's conversation with you, similar ones were held with me by Mr. Eden. He particularly questioned me on the effect of our treaty with France, in the case of a war, and what might be our dispositions. I told him without hesitation, that our treaty obliged us to receive the armed vessels of France, with their prizes into our ports, and to refuse the admission of prizes, made on her by her enemies; that there was a clause by which we guarantied to France, her American possessions, and which might, perhaps, force us into the war, if these were attacked. "Then it will be war," said he, "for they will assuredly be attacked." I added, that our dispositions would be to be neutral, and that I thought it the interest of both these powers that we should be so, because it would relieve both from all anxiety as to the feeding their West India Islands, and England would, moreover, avoid a heavy land war on our

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continent, which would cripple all her proceedings elsewhere. He expected these sentiments from me personally, and he knew them to be analagous to those of our country. We had often before had occasions of knowing each other; his peculiar bitterness towards us, had sufficiently appeared, and I had never concealed from him, that I considered the British as our natural enemies, and as the only nation on earth, who wished us ill from the bottom of their souls. And I am satisfied, that were our Continent to be swallowed up by the ocean, Great Britain would be in a bonfire from one end to the other. Mr. Adams, as you know, has asked his recal. This has been granted, and Colonel Smith is to return too; Congress having determined to put an end to their commission at that Court. I suspect and hope they will make no new appointment.

Our new constitution is powerfully attacked in the American newspapers. The objections are, that its effect would be, to form the thirteen States into one; that proposing to melt all down into one general goverment, they have fenced the people by no declaration of rights; they have not renounced the power of keeping a standing army; they have not secured the liberty of the press; they have reserved the power of abolishing trials by jury in civil cases; they have proposed that the laws of the federal legislatures shall be paramount to the laws and constitutions of the States; they have abandoned rotation in office; and particularly, their President may be re-elected from four years to four years for life, so as to render him a King for life, like a King of Poland; and they have not given him either the check or aid of a council. To these they add calculations of expense, &c. &c. to frighten the people.

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You will perceive that these objections are serious, and some of them not without foundation. The constitution, however, has been received with a very general enthusiasm, and, as far as can be judged from external demonstrations, the bulk of the people are eager to adopt it. In the Eastern States, the printers will print nothing against it, unless the writer subscribes his name. Massachusetts and Connecticut have called conventions in January, to consider of it. In New York, there is a division. The Governor (Clinton) is known to be hostile to it. Jersey, it is thought, will certainly accept it. Pennsylvania is divided, and all the bitterness of her factions has been kindled anew on it. But the party in favor of it is strongest, both in and out of the legislature. This is the party anciently of Morris, Wilson, &c. Delaware will do what Pennsylvania shall do. Maryland is thought favorable to it, yet it is supposed Chase and Paca will oppose it. As to Virginia, two of her delegates, in the first place, refused to sign it. These were Randolph, the Governor, and George Mason. Besides these, Henry, Harrison, Nelson and the Lees, are against it. General Washington will be for it, but it is not in his character to exert himself much in the case. Madison will be its main pillar, but though an immensely powerful one, it is questionable whether he can bear the weight of such a host. So that the presumption is, that Virginia will reject it. We know nothing of the dispositions of the States south of this. Should it fall through, as it is possible, notwithstanding the enthusiasm with which it was received in the first moment, it is probable that Congress will propose, that the objections which the people shall make to it, being once known,

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another Convention shall be assembled, to adopt the improvements generally acceptable, and omit those found disagreeable. In this way, union may be produced under a happy constitution, and one which shall not be too energetic, as are the constitutions of Europe. I give you these details, because, possibly, you may not have received them all. The sale of our western lands is immensely successful. Five millions of acres have been sold at private sale, for a dollar an acre, in certificates, and, at the public sales, some of them had sold as high as two dollars and forty cents the acre. The sales had not been begun two months. By these means, taxes, &c. our domestic debt, originally twenty-eight millions of dollars, was reduced, by the 1st day of last October, to twelve millions, and they were then in treaty for two millions of acres more, at a dollar, private sale. Our domestic debt will thus be soon paid off, and that done, the sales will go on for money, at a cheaper rate, no doubt, for the payment of our foreign debt. The *petite guerre* always waged by the Indians, seems not to abate the ardor of purchase or emigration. Kentucky is now counted at sixty thousand. Frankland is also growing fast.

I have been told; that the cutting through the Isthmus of Panama, which the world has so often wished, and supposed practicable, has at times been thought of by the Government of Spain, and that they once proceeded so far as to have a survey and examination made of the ground; but that the result was, either impracticability or too great difficulty. Probably the Count de Campomanes or Don Ulloa, can give you information on this head. I should be exceedingly pleased to get as minute

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details as possible on it, and even copies of the survey, report, &c. if they could be obtained at a moderate expense. I take the liberty of asking your assistance in this.

I have the honor to be, &c.

TH: JEFFERSON.

FROM THOMAS JEFFERSON TO JOHN ADAMS.

Paris, December 12, 1787.

Dear Sir,

In the month of July, I received from Fiseaux & Co. of Amsterdam, a letter notifying me that the principal of their loan to the United States, would become due the first day of January. I answered them, that I had neither powers nor information on the subject, but would transmit their letter to the Board of Treasury. I did so, by the packet which sailed from Havre, August the 10th. The earliest answer possible, would have been by the packet which arrived at Havre three or four days ago. But by her I do not receive the scrip of a pen from any body. This makes me suppose my letters were committed to Paul Jones, who was to sail a week after the departure of the packet; and that possibly he may be the bearer of orders from the Treasury to pay Fiseaux's loan, with the money you borrowed. But it is also possible, he may bring no order on the subject. The slowness with which measures are adopted on our side the water, does not permit us to count on punctual answers; but, on the contrary, renders it necessary for us to suppose, in the present case, that no orders will arrive

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in time, and to consider whether any thing, and what, should be done? As it may be found expedient to transfer all our foreign debts to Holland, by borrowing there, and as it may always be prudent to preserve a good credit in that country, because we may be forced into wars, whether we will or not. I should suppose it very imprudent to suffer our credit to be annihilated, for so small a sum as fifty-one thousand guilders. The injury will be greater too, in proportion to the smallness of the sum; for they will ask, "how can a people be trusted for large sums, who break their faith for such small ones?" You know best what effect it will have on the minds of the money lenders of that country, should we fail in this payment. You know best solely, whether it is practicable and prudent for us, to have this debt paid without orders. I refer the matter, therefore, wholly to your consideration, willing to participate with you in any risk, and any responsibility, which may arise. I think it one of those cases where it is a duty to risk one's self. You will perceive, by the enclosed, the necessity of an immediate answer, and that, if you think any thing can and should be done, all the necessary authorities from you should accompany your letter. In the meantime, should I receive any orders from the Treasury, by Paul Jones, I will pursue them, and consider whatever you shall have proposed or done, as *non avenue*.

I am, with much affection, &c.

TH: JEFFERSON.

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FROM THOMAS JEFFERSON TO JAMES MADISON.

Paris, December 20, 1787.

Dear Sir,

My last to you was of October the 8th by the Count de Moustier. Yours of July the 18th, September the 6th, and October the 25th, were successively received, yesterday, the day before, and three or four days before that. I have only had time to read the letters; the printed papers communicated with them, however interesting, being obliged to lie over, till I finish my despatches for the packet, which despatches must go from hence the day after to-morrow. I have much to thank you for, first and most for the cyphered paragraph respecting myself. These little informations are very material towards forming my own decisions. I would be glad even to know when any individual member thinks I have gone wrong in any instance. If I know myself, it would not excite ill blood in me, while it would assist to guide my conduct, perhaps, to justify it, and to keep me to my duty, alert. I must thank you too, for the information in Thomas Burk's case; though you will have found by a subsequent letter, that I have asked of you a further investigation of that matter. It is to gratify the lady who is at the head of the convent wherein my daughters are, and who by her attachment and attention to them, lays me under great obligations. I shall hope, therefore, still to receive from you the result of all the further inquiries, my second letter had asked. The parcel of rice, which you informed me had miscarried, accompanied my letter to the delegates of South Carolina. Mr. Bourgoin was to be the bearer of both, and both were delivered to-

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gether into the hands of his relation here, who introduced him to me, and who at a subsequent moment, undertook to convey them to Mr. Bourgoin. This person was an engraver, particularly recommended to Dr. Franklin and Mr. Hopkinson. Perhaps he may have mislaid the little parcel of rice among his baggage. I am much pleased that the sale of western lands is so successful. I hope they will absorb all the certificates of our domestic debt speedily, in the first place, and that then, offered for cash, they will do the same by our foreign ones.

The season admitting of operations in the cabinet, and those being in a great measure secret, I have little to fill a letter. I will, therefore, make up the deficiency, by adding a few words on the constitution proposed by our convention.

I like much the general idea of framing a government, which would go on of itself, peaceably, without needing continual recurrence to the State legislatures. I like the organization of the government into legislative, judiciary and executive. I like the power given the legislature to levy taxes, and for that reason solely, I approve of the greater house being chosen by the people directly. For, though I think a house so chosen, will be very far inferior to the present Congress, will be very ill qualified to legislate for the Union, for foreign nations, &c. yet, this evil does not weigh against the good, of preserving inviolate the fundamental principle, that the people are not to be taxed, but by representatives chosen immediately by themselves. I am captivated by the compromise of the opposite claims of the great and little States, of the latter to equal, and the former to proportional influence. I am much pleased, too, with

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the substitution of the method of voting by persons, instead of that of voting by States; and I like the negative given to the executive, conjointly with a third of either house; though I should have liked it better, had the judiciary been associated for that purpose, or invested separately with a similar power. There are other good things of less moment. I will now tell you what I do not like. First, the omission of a bill of rights, providing clearly, and without the aid of sophism, for freedom of religion, freedom of the press, protection against standing armies, restriction against monopolies, the eternal and unremitting force of the habeas corpus laws, and trials by jury in all matters of fact triable by the laws of the land, and not by the laws of nations. To say, as Mr. Wilson does, that a bill of rights was not necessary, because all is reserved in the case of the general government, which is not given, while in the particular ones, all is given which is not reserved, might do for the audience to which it was addressed, but it is surely a *gratis dictum*, the reverse of which might just as well be said; and it is opposed by strong inferences from the body of the instrument, as well as from the omission of the clause of our present confederation, which had made the reservation in express terms. It was hard to conclude, because there has been a want of uniformity among the States, as to the cases triable by jury, because some have been so incautious as to dispense with this mode of trial in certain cases, therefore, the more prudent States shall be reduced to the same level of calamity. It would have been much more just and wise to have concluded by the other way, that as most of the States had preserved with jealousy this

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sacred palladium of liberty, those which had wandered, should be brought back to it; and to have established general right rather than general wrong. For, I consider all the ill as established, which may be established. I have a right to nothing, which another has a right to take away; and Congress will have a right to take away trials by jury in all civil cases. Let me add, that a bill of rights is what the people are entitled to against every government on earth, general or particular, and which no just government should refuse, or rest on inference.

The second feature I dislike, and strongly dislike, is the abandonment, in every instance, of the principle of rotation in office, and most particularly in the case of the President. Reason and experience tell us, that the first magistrate will always be re-elected, if he may be re-elected. He is then an officer for life. This once observed, it becomes of so much consequence to certain nations, to have a friend or a foe at the head of our affairs, that they will interfere with money and with arms. A Galloman or an Angloman, will be supported by the nation he befriends. If once elected, and at a second or third election out voted by one or two votes, he will pretend false votes, foul play, hold possession of the reins of Government, be supported by the States voting for him, especially if they be the central ones, lying in a compact body themselves, and separating their opponents; and they will be aided by one nation in Europe, while the majority are aided by another. The election of a President of America, some years hence, will be much more interesting to certain nations of Europe, than ever the election of a King of Poland was. Reflect on all the instances in history, ancient and modern, of the elec-

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tive monarchies, and say, if they do not give foundation for my fears; the Roman Emperors, the Popes while they were of any importance, the German Emperors till they became hereditary in practice, the Kings of Poland, the Deys of the Ottoman dependencies. It may be said that if elections are to be attended with these disorders, the less frequently they are repeated the better. But experience says, that to free them from disorder, they must be rendered less interesting by a necessity of change. No foreign power, nor domestic party, will waste their blood and money to elect a person who must go out at the end of a short period. The power of removing every fourth year by the vote of the people, is a power which they will not exercise, and if they were disposed to exercise it, they would not be permitted. The King of Poland is removable every day by the Diet, but they never remove him. Nor would Russia, the Emperor, &c. permit them to do it. Smaller objections are, the appeals on matters of fact as well as law; and the binding all persons, legislative, executive and judiciary, by oath, to maintain that constitution. I do not pretend to decide, what would be the best method of procuring the establishment of the manifold good things in this contitution, and of getting rid of the bad. Whether by adopting it in hopes of future amendments; or, after it shall have been only weighed and canvassed by the people, after seeing the parts they generally dislike, and those they generally approve, to say to them, "We see now what you wish. You are willing to give to your federal Government such and such powers, but you wish, at the same time, to have such and such fundamental rights secured to you, and certain sources of convulsion taken

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away. Be it so. Send together your deputies again. Let them establish your fundamental rights by a *sacrosanct* declaration, and let them pass the parts of the constitution you have approved. These will give powers to your federal Government sufficient for your happiness."

This is what might be said, and would probably produce a speedy, more perfect, and more permanent form of government. At all events, I hope you will not be discouraged from making other trials, if the present one should fail. We are never permitted to despair of the Commonwealth. I have thus told you freely which I like, and what I dislike, merely as a matter of curiosity; for I know it is not in my power to offer matter of information to your judgment, which has been formed after hearing and weighing every thing which the wisdom of man could offer on these subjects, I own I am not a friend to a very energetic government. It is always oppressive. It places the governors indeed more at ease, at the expense of the people. The late rebellion in Massachusetts has given more alarm, than I think it should have done. Calculate that one rebellion in thirteen States in the course of eleven years, is but one for each State in a century and a half. No country should be as long without one. Nor will any degree of power in the hands of government, prevent insurrection. In England, where the hand of power is heavier than with us, there are seldom half a dozen years without an insurrection. In France, where it is still heavier, but less despotic, as Montesquieu supposes, than in some other countries, and where there are always two or three hundred thousand men ready to crush insurrections, there have been three in the course

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of the three years I have been here, in every one of which greater numbers were engaged than in Massachusetts, and a great deal more blood spilt. In Turkey, where the sole nod of the despot is death, insurrections are the events of every day. Compare again the ferocious depredations of their insurgents, with the order, the moderation and the almost self-extinguishment of ours. And say, finally, whether peace is best preserved by giving energy to the government, or information to the people. This last is the most certain and the most legitimate engine of government. Educate and inform the whole mass of the people. Enable them to see that it is their interest to preserve peace and order, and they will preserve them. And it requires no very high degree of education to convince them of this. They are the only sure reliance for the preservation of our liberty. After all, it is my principle that the will of the majority should prevail. If they approve the proposed constitution in all its parts, I shall concur in it cheerfully, in hopes they will amend it, whenever they shall find it works wrong. This reliance cannot deceive us, as long as we remain virtuous; and I think we shall be so, as long as agriculture is our principal object, which will be the case, while there remain vacant lands in any part of America. When we get piled upon one another in large cities, as in Europe, we shall become corrupt as in Europe, and go to eating one another as they do there. I have tired you by this time with disquisitions which you have already heard repeated by others, a thousand and a thousand times; and therefore shall only add assurances of the esteem and attachment with which, I have the honor to be, &c.

TH: JEFFERSON.

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P. S. The instability of our laws is really an immense evil. I think it would be well to provide in our constitutions, that there shall always be a twelve month between the engrossing a bill and passing it; that it should then be offered to its passage without changing a word: and that if circumstances should be thought to require a speedier passage, it should take two thirds of both houses instead of a bare majority.

FROM THOMAS JEFFERSON TO JOHN JAY.

Paris, December 31, 1787.

Sir,

Since the receipt of the letter of Monsieur de Calonne, of October the 22nd, 1786, I have several times had the honor of mentioning to you, that I was endeavoring to get the substance of that letter reduced into an *arrêt*, which, instead of being revocable by a single letter of a Comptroller General, would require an *arrêt* to repeal or alter it, and of course must be discussed in full council, and so give due time to prevent it. This has been pressed as much as it could be with prudence. One cause of delay has been, the frequent changes of the Comptroller General; as we had always our whole work to begin again, with every new one. Monsieur Lambert's continuance in office for some months, has enabled us, at length, to get through the business; and I have just received from him a letter, and the *arrêt* duly authenticated; of which I have the honor to send you a number of printed copies. You will find, that the several alterations and additions are made, which, on my

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visit to the sea ports, I had found to be necessary, and which my letters of June the 21st, and August the 6th, particularly mentioned to you. Besides these, we have obtained some new articles of value, for which openings arose in the course of the negotiation. I say *we* have done it, because the Marquis de la Fayette has gone hand in hand with me through this business, and has been a most invaluable aid. I take the liberty of making some observations on the articles of the *arrêt*, severally, for their explanation, as well as for the information of Congress.

ARTICLE 1. In the course of our conferences with the Comptroller General, we had prevailed on him to pass this article with a suppression of all duty. When he reported the *arrêt*, however, to the Council, this suppression was objected to, and it was insisted to re-establish the duties of seven livres and ten sous, and of ten sous the livre reserved in the letter of M. de Calonne. The passage of the *arrêt* was stopped, and the difficulty communicated to me. I urged every thing I could, in letters and in conferences, to convince them that whale oil could bear no duty at all. That if the duty fell on the consumer, he would choose to buy vegetable oils; if on the fisherman, he could no longer live by his calling, remaining in his own country, and that if he quitted his own country, the circumstances of vicinity, sameness of language, laws, religion, and manners, and perhaps the ties of kindred would draw him to Nova Scotia, in spite of every encouragement which could be given at Dunkirk; and that thus, those fishermen would be shifted out of a scale friendly to France, into one always hostile. Nothing, however, could prevail. It

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hung on this article alone, for two months, during which we risked the total loss of the *arrêt*, on the stability in office of Monsieur Lambert, for, if he had gone out, his successor might be less favorable; and if Monsieur Necker were the successor, we might lose the whole, as he never set any store by us, or the connexion with us. About ten days ago, it became universally believed that Monsieur Lambert was to go out immediately. I, therefore declined further insisting on the total suppression, and desired the *arrêt* might pass, having the duties on whale oil, as Monsieur de Calonne had promised them; but with a reservation, which may countenance our bringing on this matter again, at a more favorable moment.

Article II. The other fisheries are placed in a separate article, because, whatever encouragement we may hereafter obtain for whale oils, they will not be extended to those which their own fisheries produce.

Article III. A company had silently, and by unfair means, obtained a monopoly for the making and selling spermaceti candles; as soon as we discovered it, we solicited its suppression, which is effected by this clause.

Article IV. The duty of an eighth per cent is merely to oblige the masters of vessels to enter their cargoes, for the information of government; without inducing them to attempt to smuggle.

Article VI. Tar, pitch and turpentine, of America, coming in competition with the same articles produced in the south western parts of France, we could obtain no greater reduction, than two and a half per cent. The duties before, were from four to six times that amount.

Article X. The right of *entrepôt*, given by this article, is almost the same thing as making all their ports

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free ports for us. The ships are, indeed, subject to be visited, and the cargoes must be reported in ports of *entrepôt*, which need not be done in the free ports. But the communication between the *entrepôt* and the country, is not interrupted by continual search of all persons passing into the country, which has proved so troublesome to the inhabitants of our free ports, as that a considerable proportion of them have wished to give back the privilege of their freedom.

Article xiii. This article gives us the privileges and advantages of native subjects, in all their possessions in Asia, and in the *scales leading thereto*. This expression means, at present, the Isles of France and Bourbon, and will include the Cape of Good Hope, should any future events put it into the hands of France. It is with a view to this, that I proposed the expression; because we were then in hourly expectation of a war, and it was suspected that France would take possession of that place. It will, in no case, be considered as including any thing westward of the Cape of Good Hope. I must observe further, on this article, that it will only become valuable on the suppression of the East India Company; because, as long as their monopoly continues, even native subjects cannot enter their Asiatic ports, for the purposes of commerce.

It is considered, however, as certain, that this Company will be immediately suppressed.

The article of tobacco could not be introduced into the *arrêt*, because it was necessary to consider the Farmers General as parties to that arrangement. It rests, therefore, of necessity, on the basis of a letter only. You will perceive that this is nothing more than a continuation of the order of Bernis, only leaving the prices unfixed;

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and like that, it will require a constant and vexatious attention to have its execution enforced.

The States which have much to carry, and few carriers, will observe, perhaps, that the benefits of these regulations are somewhat narrowed, by confining them to articles brought hither in French or American bottoms. But they will consider, that nothing in those instruments moves from us. The advantages they hold out, are all given by this country to us, and the givers will modify their gifts as they please. I suppose it to be a determined principle of this Court, not to suffer our carrying business, so far as their consumption of our commodities extends, to become a nursery for British seamen. Nor would this, perhaps, be advantageous to us, considering the dispositions of the two nations towards us. The preference which our shipping will obtain on this account, may counterpoise the discouragements it experiences, from the dangers of the Barbary States. Nor is the idea unpleasing, which shews itself in various parts of these papers, of naturalizing American bottoms, and American citizens in France and in its foreign possessions. Once established here, and in their eastern settlements, they may revolt less at the proposition to extend it to those westward. They are not yet however at that point; we must be contented to go towards it a step at a time, and trust to future events, for hastening our progress.

With respect to the alliance between this and the two Imperial Courts nothing certain transpires. We are enabled to conjecture its progress only from facts which now and then show themselves. The following may be considered as indications of it. 1st. The Emperor has made an attempt to surprise Belgrade. The attempt failed,

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but will serve to plunge him into the war, and to shew that he had assumed the character of mediator only to enable himself to gain some advantage by surprize. 2nd. The mediation of France is probably at an end, and their abandonment of the Turks agreed on; because they have secretly ordered their officers to quit the Turkish service. This fact is known to but few, and not intended to be known, but I think it certain. 3rd. To the offer of mediation lately made by England and Prussia, the Court of Petersburg answered, that having declined the mediation of a friendly power, (France) she could not accept that of two Courts, with whose dispositions, she had reason to be dissatisfied. 4th. The States General are said to have instructed their Ambassador here, lately, to ask of M. de Montmorin, whether the inquiry had been made, which they had formerly desired; "by what authority the French Engineers had been placed in the service of Holland?" And that he answered that the inquiry had not been made nor should be made. Though I do not consider the channel through which I get this fact, as absolutely sure, yet it is so respectable that I give credit to it myself. 8th. The King of Prussia is withdrawing his troops from Holland. Should the alliance shew itself, it would seem that France, thus strengthened, might dictate the re-establishment of the affairs of Holland in her own form. For it is not conceivable, that Prussia would dare to move, nor that England would alone undertake such a war, and for such a purpose. She appears, indeed, triumphant at present; but the question is who will triumph at last?

I enclose you a copy of a letter from Mr. Dumas, I received one from him myself, wherein he assures me, that no dif-

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fficulties shall be produced, by what he suggested relative to his mission to Brussels. The Gazettes of France and Leyden to this date, accompany this letter, which with the several papers put under your cover, I shall send to Mr. Limozin, our agent at Havre, to be forwarded by the Juno, Capt. Jenkins, which sails from that port for New York, on the 3rd of January.

I have the honor to be, &c.

TH: JEFFERSON.

FROM THOMAS JEFFERSON TO LE COMTE BERNSTORFF, MINISTER OF FOREIGN AFFAIRS, COPENHAGEN.

Paris, January 21, 1788.

Sir,

I am instructed by the United States of America, in Congress assembled, to bring again under the consideration of his Majesty, the King of Denmark, and of his Ministers, the case of the three prizes taken from the English during the late war, by an American squadron under the command of Commodore Paul Jones, put into Bergen in distress, there rescued from our possession by orders from the Court of Denmark, and delivered back to the English. Dr. Franklin, then Minister Plenipotentiary from the United States, at the Court of Versailles, had the honor of making applications to the Court of Denmark, for a just indemnification to the persons interested, and particularly by a letter of the 22nd of December, 1779, a copy of which I have the honor of enclosing for your Excellency. In consequence of this, the sum of ten thousand pounds was proposed to him, as an in-

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demnification, through the Baron de Walterstorff, then at Paris. The departure of both those gentlemen from this place, soon after, occasioned an intermission in the correspondence on this subject. But the United States continue to be very sensibly affected by this delivery of their prizes to Great Britain, and the more so, as no part of their conduct had forfeited their claim to those rights of hospitality, which civilized nations extend to each other. Not only a sense of justice due to the individuals interested in those prizes, but also an earnest desire that no subject of discontent may check the cultivation and progress of that friendship, which they wish may subsist and increase between the two countries, prompts them to remind his Majesty of the transaction in question; and they flatter themselves, that his Majesty will concur with them in thinking, that as restitution of the prizes is not practicable, it is reasonable and just that he should render, and that they should accept, a compensation equivalent to the value of them. And the same principles of justice toward the parties, and of amity to the United States, which influenced the breast of his Majesty to make, through the Baron de Walterstorff, the proposition of a particular sum, will surely lead him to restore their full value, if that were greater, as is believed, than the sum proposed. In order to obtain, therefore, a final arrangement of this demand, Congress have authorized me to depute a special agent to Copenhagen, to attend the pleasure of his Majesty. No agent could be so adequate to this business as the Commodore Paul Jones, who commanded the squadron which took the prizes. He will, therefore, have the honor of delivering this letter to your Excellency, in person; of giving such information as may

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be material, relative to the whole transaction; of entering into conferences for its final adjustment; and being himself principally interested, not only in his own right, but as the natural patron of those who fought under him, whatever shall be satisfactory to him, will have a great right to that ultimate approbation, which Congress have been pleased to confide to me.

I beg your Excellency to accept the homage of that respect, which your exalted station, talents and merit, impress, as well as those sentiments of esteem and regard, with which I have the honor to be, &c.

TH: JEFFERSON.

FROM THOMAS JEFFERSON TO JOHN JAY.

Paris, February 5, 1788.

Sir,

The letter of December 12th, which Mr. Remsen did me the favor to write me, during your indisposition, has been duly received; and I shall be happy to hear that the cause is removed which deprived me at that moment of the pleasure of hearing from you; my last were of the 21st and 31st December. I am afraid that my intelligence may have appeared sometimes to come late to hand. My letters by the Count de Moustier suffered by his long delay in Brest by contrary winds. That too, which he carried of October 27th, was particularly interesting, as it enclosed notice of the pacification between France and England. My letter of December 31st, by Capt. Jenkins, who was to have sailed January 3, was detained wiith his vessel in Havre by contrary winds, till

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January 27th. It conveyed the *arrêt* and letter relative to our commerce, which were interesting also. On account of the multitude of falsehoods always current here, under specious appearances, I am obliged to be slow of belief, but whenever a part worth communicating, is so far authenticated as to be worthy belief, I never fail to avail myself of the first safe opportunity of communicating it to you.

The last letter on the subject of the brig Absolonia from Rhode Island, having re-established the orthography of the advocate's name (Depeuty instead of Depauty as the first letter had called him,) I have found him and delivered him the letters, and now enclose an answer from him to Messrs. Topham, Ross, and Newman. No remarkable circumstance has happened in the political affairs of Europe since my last. The season permits little activity between the Turks and Russians. The Emperor, since the manœuvre to surprise Belgrade, which failed, has been gathering strength towards that quarter, but no open act of hostility has yet taken place. The principal Minister here seems immoveably pacific. Their late loan is filling up indeed, but with subscriptions only not cash; this comes in slowly and the payments yet to be made, are less sure than could be wished. I am as sure they can obtain no money in Holland. The negotiations with Russia and the Emperor proceed, but they proceed slowly. The hopes of the Dutch patriots are just kept alive; their Ambassador does not yet return to the Hague. The Prussians are about to withdraw from Holland, and to be replaced by Hessians in the pay of the republic. The health of the principal Minister here is so low, that he does business with nobody but the King

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and Queen and the Ministers; much is said and believed of his retiring from office, and being succeeded by the Duke de Chatelet; but I do not believe it because facts seem to evince him master of the minds both of the King and Queen. The bickerings with the Parliament continue. The édict for the favor of the non-catholics has at length passed. You will see a copy of it in the gazettes; and wonder that so small an effort of common sense could have excited so much contradiction. A violent opposition is raised against the *arrêt* for the encouragement of our commerce, enclosed in my last. All the chambers of commerce have remonstrated against it, and the Ministers are alarmed. The Count de la Luzerne on whose friendly dispositions it was supposed we might rely, does not manifest any partialities for us. The instability of the laws in this country are such, that no merchant can venture to make any speculation on the faith of a law. I hope however that no material alteration will be permitted in the present instance. Therefore I should think it better not to alarm our merchants with any doubts about the continuance of it. Commodore Jones set off this day for Copenhagen, to settle the demands for prize money against that Court. I have lately seen a person just come from Algiers, who knew well all our captives there. Captain Coffin is dead of a consumption, two have died of the plague and one of the small pox. He thinks that since the price given by the Spaniards and Neapolitans for the redemption of captives, they will never sell another of any nation for less than from five to six hundred sequins. He supposes that exclusively of the redemption of our captives, it would have cost us a million of dollars to make peace when Mr. Lamb arrived

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there. The Spaniards, Neapolitans and Portuguese were then all sueing for peace. This has increased excessively the pride of those pirates. As soon as money is provided, I shall set the business of redemption a foot. This letter goes by post. The gazettes to this day are enclosed.

I have the honor to be, &c.

TH: JEFFERSON.

FROM THOMAS JEFFERSON TO JOHN JAY.

Amsterdam, March 13, 1788.

Sir,

Mr. Adams having announced to our bankers here his approaching departure from Europe, and referred them to me for counsel on our affairs in their hands, they sent me a state of them, and of the difficulties which were pressing at the moment, and impending more seriously for the month of June. They were urging me, by almost every post, on this subject. In this situation, information of Mr. Adams' journey of leave to the Hague, reached me, on the day of his arrival there. I was sensible how important it was to have the benefit of his interference, in a department which had been his peculiarly from the beginning, and with all the details of which he was as intimately acquainted, as I was little so. I set out, therefore, in the instant, joined him at the Hague, and he readily concurred with me in the necessity of our coming here to confer with our bankers on the measures which might be proper and practicable. We are now engaged on this object, and the result, together with a full explanation of the difficulties which

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commanded our attention, shall be the subject of a letter which I shall do myself the honor of writing you by Mr. Adams, to be forwarded by Colonel Smith, who will go in the English packet. I avoid further particulars in the present letter, because it is to pass through the different post offices to Paris, it will be forwarded thence by Mr. Short, whom I have desired to do himself the honor of writing to you any occurrences since my departure, which may be worthy of being communicated, by the French packet of this month.

I have the honor to be, &c.

TH: JEFFERSON.

FROM THOMAS JEFFERSON TO JOHN JAY.

Amsterdam, March 16, 1788.

Sir,

In a letter of the 13th instant, which I had the honor of addressing you from this place, I mentioned, in general terms, the object of my journey hither, and that I should enter into more particular details by the confidential conveyance which would occur through Mr. Adams and Colonel Smith.

The board of treasury had, in the month of December, given notice to our banker here, that it was impossible for them to make any remittances to Europe for the then ensuing year; and that they must therefore rely altogether on the progress of the late loan. But this, in the meantime, after being about one third filled, had ceased to get forward. The bankers, who had been referred to me for advice by Mr. Adams, stated their

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circumstances, and pressed their apprehensions for the ensuing month of June, when 270,000 florins would be wanting for interest. In fine, they urged an offer of the holders of the former bonds, to take all those now remaining on hand, provided they might retain out of them the interest on a part of our domestic debt, of which they had also become the holders, this would have been 180,000 florins, to this proposition I could not presume any authority to listen. Thus pressed between the danger of failure on one hand, and an impossible proposition on the other, I heard of Mr. Adams' being gone to the Hague, to take leave. This knowledge of the subject was too intimate to be neglected under the present difficulty, and it was the last moment in which we could be availed of it. I set out, therefore, immediately for the Hague, and we came on to this place together, in order to see what could be done. It was easier to discover, than to remove the causes which obstructed the progress of the loan. Our affairs here, like those of other nations, are in the hands of particular bankers; these employ particular brokers, and they have their particular circle of money lenders. These money lenders, as I have before mentioned, while placing a part of their money in our foreign loans, had at the same time employed another part in a joint speculation, to the amount of 840,000 dollars of our domestic debt. A year's interest was becoming due on this, and they wished to avail themselves of our want of money for the foreign interest, to obtain payment of the domestic. Our first object was to convince our bankers that there was no power on this side the Atlantic, which could accede to this proposition, or give it any countenance. They at

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length, therefore, but with difficulty receded from this ground, and agreed to enter into conferences with the brokers and lenders, and to use every exertion to clear the loan from the embarrassment in which this speculation had engaged it? What will be the result of these conferences is not yet known. We have hopes, however, that it is not desperate, because the bankers yesterday consented to pay off, and did actually pay off the capital of 51,000 florins, which had become due to the house of Fizeaux & Co. on the first day of January, which had not yet been paid. We have gone still further. The Treasury Board gives no hope of remittances till the new Government can procure them. For that Government to be adopted, its legislature assembled, its systems of taxation and collection arranged, the money gathered from the people into their treasury, and then remitted to Europe, must enter us considerably into the year 1790. To secure our credit then, for the present year only, is but to put off the evil day to the next. What remains of the last, even when it shall be filled up, will little more than clear us of present demands, as may be seen by the estimate enclosed. We thought it better, therefore, to provide at once, for the years 1789 and 1790 also, and thus to place the Government at its ease, and our credit in security during that trying interval. The same estimate will show that another million of florins will be necessary to effect this. We stated this to our bankers, who concurred in our views, and that to ask the whole sum at once would be better than to make demands from time to time, so small as that they betray to the money holders, the extreme feebleness of our resources. Mr. Adams, therefore, has executed

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bonds for another million of florins, which, however, are to remain unissued till Congress shall have ratified the measure; so that the transaction is something or nothing at their pleasure. We suppose its expediency so apparent as to leave little doubt of its ratification. In this case much time will have been saved by the execution of the bonds at this moment, and the proposition will be presented here under a more favorable appearance, according to the opinion of the banker. Mr. Adams is under a necessity of setting out to-morrow morning; but I shall stay two or three days longer, to attend to, and to encourage the efforts of the bankers, to judge and to inform you whether they will ensure us a safe passage over the month of June.

Not having my letters here to turn to, I am unable to say whether the last I wrote from Paris I mentioned the declaration of the Emperor, that he should take a part in the war against the Turks. This declaration appeared a little before or a little after that letter, I do not recollect which. Some trifling hostilities have taken place between them. The Court of Versailles seems to pursue, immoveably, its pacific system. And from every appearance in the country from which I write, we must conclude that its tragedy is wound up. The triumph appears complete, and tranquillity perfectly established. The numbers who have emigrated, are differently estimated from twenty to forty thousand.

A little before I left Paris, I received a piece of intelligence which should be communicated, leaving you to lay what stress upon it, it may seem to deserve. Its authenticity may be surely relied on. At the moment of the late pacification, Spain had about fifteen ships of the

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line really ready for sea. The Convention for disarming did not extend to her, nor did she disarm. This gave inquietude to the Court of London, and they demanded an explanation. One was given which they say is perfectly satisfactory. The Russian Minister at Versailles getting a knowledge of this, became suspicious on his part. He recollected that Spain, during the war, had been opposed to the entrance of a Russian fleet into the Mediterranean, and concluded, if England was not the object of the armament, Russia might be. It is known that that power means to send a fleet of about twenty-four ships into the Mediterranean this summer. He went to the Count de Montmorin, and expressed his apprehensions. The Count de Montmorin declared that the object of Spain, in that armament, was totally different; that he was sure she would succeed; but that France and Spain were to be considered as one, and that the former would become guarantee for the latter, that she would make no opposition to the Russian fleet. If neither England nor Russia be the object, the question recurs, who is it for? You know best if our affairs with Spain are in a situation to give jealousy to either of us. I think it very possible that the satisfaction of the Court of London may have been pretended or premature. It is possible, also, that the affairs of Spain in South America, may require them to assume a threatening appearance. I give you the facts, however, and you will judge whether they are objects of attention, or of mere curiosity.

I have the honor to be, &c.

TH: JEFFERSON.

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P. S. I enclose herewith an extract of a letter from the Count de Vergennes to the French Ambassador at the Hague, which will make a remarkable chapter in the history of the late revolution here. It is not public, nor should be made so by us. Probably those who have been the victims of it will some day publish it.

TH: JEFFERSON.

Extract from the Count de Vergennes' despatch to the Marquis de Verac, Ambassador from France at the Hague, dated,

15th August, 1786.

"The King will concur, as far as he can, towards the success of this matter, and you will request, on his part, the patriots to communicate their views, plans and wishes. You will assure them that the King is equally interested for their persons as well as their cause, and that they may rely on his protection. They may depend upon this the more as we do not pretend to dissemble, Sir, that, if the Stadtholder recovers his former influence, the English system will not fail to prevail, and our alliance become a mere phantom. The patriots will readily perceive that such a circumstance would be quite incompatible with the dignity as well as the respect of his Majesty. But in case, Sir, the leaders of the patriots should fear a schism, they will have ample time to bring back such of their friends as the English party have perverted, and arrange matters so that the question which is to be again deliberated, be decided agreeably to their wishes. On this presumption, the King authorizes you to act in con-

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cert with them, to follow such directions as they may see proper to give you, and to employ every means to augment their number of partizans for the good cause. It remains for me, Sir, to speak to you concerning the personal security of the patriots. You will assure them that at all events the King takes them under his immediate protection, and you will inform, whenever it may be necessary, that his Majesty will consider every attempt against their liberty, as a personal offence against him.

It is to be presumed that this language, supported with energy, will impose on the audacity of the English party, and that the Prince of Nassau will apprehend some danger by provoking his Majesty's resentment."

FROM JOHN JAY TO THOMAS JEFFERSON.

Office for Foreign Affairs,
November 3, 1787.

Dear Sir,

Since the date of my last, which was the 24th ult. Congress has been pleased to pass an act, of which, the enclosed is a copy. It contains instructions to you, relative to the demands of the United States against the Court of Denmark. As they are express and particular, remarks upon them would be unnecessary. I am persuaded that the manner in which this business will be conducted and concluded, will evince the propriety of its being committed to your discretion.

Advices from Georgia represent that State as much distressed by the Indians. It is said, that the apprehensions of the people are so greatly alarmed, that

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they are even fortifying Savannah. There doubtless is reason to fear that their frontier settlements will be ravaged. The Indians are numerous, and they are exasperated, and will, probably, be put to no difficulty on account of military stores. These embarrassments result from the want of a proper government, to guard good faith, and punish violations of it.

With very sincere esteem, &c.

JOHN JAY.

Extract from the Secret Journal, October 28th, 1787.

On motion of Mr. H. Lee, seconded by Mr. Carrington,

Resolved, That the Minister of the United States at the Court of Versailles be, and he hereby is authorized and instructed to represent to his Danish Majesty, that the United States continue to be very sensibly affected by the circumstance of his Majesty having caused a number of their prizes to be delivered to Great Britain during the late war, and the more so as no part of their conduct had forfeited their claims to the rights of hospitality, which civilized nations extend to each other. That not only a sense of the justice due to the individuals interested in those prizes, but also an earnest desire, that no subject of discontent may check the cultivation and progress of that friendship which they wish may subsist and increase between the two countries, prompt the United States to remind his Majesty of the transaction in question; and they flatter themselves that his Majesty will concur with them in thinking that as restitution of the prizes is not

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practicable, it is reasonable and just, that he should render, and that they should accept a compensation equivalent to the value of them.

That the said Minister be further authorized and instructed finally to settle and conclude the demand of the United States against his Danish Majesty, on account of the prizes aforesaid, by such composition and on such terms as may be the best in his power to obtain; and that he be directed to retain in his hands all the money so recovered till the further order of Congress.

That the said Minister be, and he is hereby authorized in case he shall think it proper, to despatch the Chevalier John Paul Jones, or any other agent to the Court of Denmark, with such powers and instructions relative to the abovementioned negotiation, as in his judgment may be the most conducive to the successful issue thereof; provided, that the ultimate conclusion of the business be not made by the agent, without the previous approbation of the said Minister.

That the person employed shall, for his agency in the business aforesaid, be allowed 5 per cent. for all expenses and demands whatever on that account.

Ordered, That the Board of Treasury transmit to the Minister of the United States at the Court of Versailles, all the necessary documents relative to the prizes delivered up by Denmark.

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FROM JOHN JAY TO THOMAS JEFFERSON.

New York, April 24, 1788.

Dear Sir,

Since the 3rd November last, I have been honored with your favors of the 19th, 22nd and 24th September, 8th and 27th October, 3rd and 7th November, 21st and 31st December, and 5th February last; all of which have been laid before Congress; but they have given me no orders respecting the subjects of them.

The state of my health was, for a long time, such as to oblige me to omit some good opportunities of writing to you fully. It is not yet perfectly re-established; but I am, nevertheless, so far recovered as to have reason to hope that the approaching season will moderate, if not wholly remove, my remaining complaints.

Since the rising of the late Convention at Philadelphia, Congress has done but little business, and I apprehend that will continue to be the case, while the fate of the proposed constitution remains undecided. You will perceive, from the public papers, that it has given occasion to heats and parties in several of the States.

The late commercial arrangements of France, relative to the United States, will tend to render the connexion between the two countries more intimate. They bear marks of wisdom and liberality, and cannot fail of being very acceptable. It is to be regretted that the mercantile people in France, oppose a system which, certainly, is calculated to bind the two nations together, and from which both would eventually derive commercial, as well as political, advantages.

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It appears to me that France has not a single ally in Europe, on which she can fully depend; and it doubtless, would be wise in her to endeavor so to blend her interests with ours, as, if possible, to render them indissoluble. This, in my opinion, can only be done by giving us all the privileges of Frenchmen, and accepting, in return, all the privileges of Americans. If they could bring themselves to adopt this idea, their schemes of policy respecting us would be greatly simplified; but the spirit of monopoly and exclusion has prevailed in Europe too long to be done away at once, and however enlightened the present age may appear, when compared with former ones, yet, whenever ancient prejudices are touched, we find that we only have light enough to see our want of more. Toleration in commerce, like toleration in religion, gains ground it is true; but I am not sanguine in my expectations that either will soon take place in their due extent.

I have the honor of being, &c.

JOHN JAY.

FROM JOHN JAY TO THOMAS JEFFERSON.

Office for Foreign Affairs,
May 16, 1788.

Dear Sir,

Since the date of my last, viz. 24th ult. no letters from you have arrived, nor any event of importance occurred, except the accession of Maryland to the number of the States which have adopted the proposed Con-

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stitution. Until that business is concluded, I apprehend that our national affairs will continue much at a stand.

Mr. Barlow will take charge of this, and of a packet of newspapers for you.

With great and sincere esteem, &c.

JOHN JAY.

FROM THOMAS JEFFERSON TO THE COMMISSIONERS OF THE TREASURY.

Paris, February 7, 1788.

Gentlemen,

Your favors of November the 10th and 13th, and December the 5th, have been duly received. Commodore Jones left this place for Copenhagen, the 5th instant, to carry into execution the resolution of Congress, of October the 25th. Whatever moneys that Court shall be willing to allow, shall be remitted to your bankers, either in Amsterdam or Paris, as shall be found most beneficial; allowing previously to be withdrawn Commodore Jones's proportion, which will be necessary for his subsistence. I desired him to endeavor to prevail on the Danish Minister to have the money paid in Amsterdam or Paris, by their banker, in either of those cities, if they have one.

Mr. Ast (Secretary to the Consulate) is at L'Orient. Whether he comes up with the papers, or sends them, they shall be received, sealed up, and taken care of. I will only ask the favor of you, that I may never be desired to break the seals, unless very important cause for it should arise.

I have just received from Messrs. Willinks and Van Staphorsts, a letter of January the 31st, in which are

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these words: "The official communication we have of the actual situation and prospect of the finances of the United States, would render such a partial payment as that to Fiseaux's house, of no avail towards the support of the public credit, unless effectual measures shall be adopted, to provide funds for the 270,000 florins, interest, that will be due the first of June next; a single days retard in which, would ground a prejudice of long duration." They informed me, at the same time, that they have made to you the following communication: that Mr. Stanitski, our principal broker and holder of thirteen hundred and forty thousand dollars, of certificates of our our domestic debt offers to have our loan of a million of guilders (of which six hundred and twenty-two thousand eight hundred and forty, are still unfilled) immediately made up, on condition that he may retain thereout, one hundred and eighty thousand guilders, being one years interest on his certificates, allowing a deduction of ten per cent from his said interest, as a compensation for his receiving it in Amsterdam instead of America, and not pretending that this shall give him any title to ask any payment of future interest, in Europe. They observe, that this will enable them to face the demands of Dutch interest, till the 1st of June, 1789, pay the principal of Fiseaux's debt, and supply the current expenses of your legation in Europe. On these points, it is for you to decide. I will only take the liberty to observe, that if they shall receive your acceptance of the proposition, some days credit will still be to be given for producing the cash, and that this must be produced fifteen days before it is wanting, because that much previous notice is always given to the creditors, that their money is ready. It is, therefore, but

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three months from this day, before your answer should be in Amsterdam. It might answer a useful purpose, also, could I receive a communication of that answer, ten days earlier than they. The same stagnation attending our passage from the old to the new form of government, which stops the feeble channel of money hitherto flowing towards our treasury, has suspended, also, what foreign credit we had. So that, at this moment, we may consider the progress of our loan as stopped. Though much an enemy to the system of borrowing, yet I feel strongly the necessity of preserving the power to borrow. Without this, we might be overwhelmed by another nation, merely by the force of its credit. However, you can best judge whether the payment of a single year's interest on Stanitski's certificates, in Europe, instead of America, may be more injurious to us than the shock of our credit in Amsterdam, which may be produced by a failure to pay our interest.

I have only to offer any services which I can render in this business, either here, or by going to Holland, at a moment's warning, if that should be necessary. I have the honor to be, &c.

TH: JEFFERSON.

FROM THOMAS JEFFERSON TO JOHN ADAMS.

Paris, March 2, 1788—Sunday.

Dear Sir,

I received this day a letter from Mrs. Adams, of the 26th ultimo, informing me you would set out on the 29th for the Hague. Our affairs at Amsterdam press on my mind like a mountain. I have no information to go on,

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but that of Willinks and Van Staphorsts, and according to that, something seems necessary to be done. I am so anxious to confer with you on this subject, and to see you and them together, and get some effectual arrangement made in time, that I determine to meet you at the Hague. I will set out the moment some repairs are made to my carriage; it is promised me at three o'clock to-morrow; but probably they will make it night, and that I may not set out till Tuesday morning. In that case, I shall be at the Hague on Friday night; in the meantime, you will perhaps have made all your bows there. I am sensible how irksome this must be to you, in the moment of your departure. But it is a great interest of the United States which is at stake, and I am sure you will sacrifice to that, your feelings and your interest. I hope to shake you by the hand, within twenty-four hours after you receive this; and in the meantime,

I am, with much esteem, &c,

TH: JEFFERSON.

FROM JOHN JAY TO THOMAS JEFFERSON.

Office for Foreign Affairs,
June 9, 1788.

Dear Sir,

Since the date of my last, viz: the 16th ult. I have been honored with yours of the 13th and 16th March, with the papers which were enclosed in the last. They were immediately communicated to Congress, and the latter referred to a committee, who not having as yet reported, it is not in my power to say what Congress may probably, think proper to do or order relative to the subject of it.

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You will herewith receive two letters from Congress to his most Christian Majesty, together with copies of them for your information. You will also find enclosed, copies from No. 1 to 20 inclusive, of papers respecting the claims of Francis Cazeau; which it is deemed expedient to transmit, in consequence of the information communicated in Mr. Short's letter to me of the 18th March last; copies of an act of Congress of the 2nd June, instant, respecting de la Lande and Fynje; and of an act of the 3rd instant, forming Kentucky into an independent State, will likewise be enclosed.

By the newspapers herewith sent, you will perceive that South Carolina has adopted the proposed constitution. The Convention of this State will convene on Tuesday, at Poughkeepsie; and as this city and county has elected me one of their deputies to it, I shall be absent from hence until it rises. There is reason to believe that the majority of this Convention are decidedly opposed to the constitution, so that whether they will venture to reject it, or whether they will adjourn and postpone a decision on it, is uncertain.

Accounts from Virginia and New Hampshire, render it probable that those States will adopt it; and if so, it may be presumed that North Carolina, and even this State, will follow the example.

Being exceedingly engaged in despatching a variety of matters, preparatory to my going out of town, I must postpone the pleasure of writing to Mr. Short by this opportunity.

With great and sincere esteem and regard, I am, &c.

JOHN JAY.

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FROM THOMAS JEFFERSON TO C. W. F. DUMAS.

Amsterdam, March 29, 1788.

Sir,

I have now to acknowledge the receipt of your favors of the 14th, 15th and 23rd instant. I would have preferred doing it in person, but the season, and the desire of seeing what I have not yet seen, invite me to take the route of the Rhine. I shall leave this place to-morrow morning, and probably not reach Paris till the latter end of April. In the moment we were to have conferred on the subject of paying the arrears due to you, a letter of the 20th of February, from the Board of Treasury was received forbidding the application of money to any purpose, (except our current claims) till the June interest should be actually in hand. Being by the letter tied up from giving an order in your favor, I return you the letter you had written to Mr. Jay, on the supposition that the order for your arrears was given. It has been suggested however that if you could receive bonds of the loan, you could make them answer your purpose, and the commissioners say, this would in no wise interfere with the views of the Treasury Board, nor the provision for the June interest. I have, therefore, recommended to them in writing, to give you bonds to the amount of your balance, if you choose to take them rather than to wait. I wish this may answer your purpose. I remember that in the conversation which I had the honor of having with you on the evening I was at the Hague, you said that your enemies had endeavored to have it believed, that Congress would abandon you, and withdraw your appointments. An enemy generally says and believes what he wishes,

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and your enemies, particularly, are not those who are most in the councils of Congress, nor the best qualified to tell what Congress will do. From the evidences you have received of their approbation, and from their well known steadiness and justice, you must be assured of a continuance of their favor, were they to continue under the present form. Nor do I see any thing in the new government which threatens us with less firmness. The Senate, who will make and remove their foreign officers, must from its constitution, be a wise and steady body. Nor would a new government begin its administration by discarding old servants, servants who have put all to the risk, and when the risk was great, to obtain that freedom and security, under which themselves will be what they shall be. Upon the whole, my dear sir, tranquillize yourself and your family on this subject. All the evidence which exists as yet authorizes you to do this, nor can I foresee any cause of disquiet in future. That none may arise, that yourself and family may enjoy health, happiness and the continued approbation of those by whom you wish most to be approved, is the sincere wish of him, who has the honor to be, &c.

TH: JEFFERSON.

FROM THOMAS JEFFERSON TO THE COMMISSIONERS OF THE TREASURY.

Amsterdam, March 29, 1788.

Gentlemen,

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I cannot close my letter without some observations on the transfer of our domestic debt to foreigners. This cir-

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cumstance, and the failure to pay off Fiseaux's loan, were the sole cause of the stagnation of our late loan. For otherwise, our credit would have stood on more hopeful grounds than heretofore. There was a condition in the last loan, that the lenders furnishing one-third of the money, the remaining two-thirds of the bonds should remain eighteen months unsold, and at their option to take or not, and that in the meantime, the same bankers should open no other loan for us. These same lenders became purchasers of our domestic debt, and they were disposed to avail themselves of the power they had thus acquired over us as to our foreign demands, to make us pay the domestic one. Should the present necessities have obliged you to comply with their proposition for the present year, I should be of opinion it ought to be the last instance. If the transfer of these debts to Europe, meet with any encouragement from us, we can no more borrow money here, let our necessities be what they will. For who will give ninety-six per cent. for the foreign obligation of the same nation, whose domestic ones can be bought at the same market for fifty-five per cent.; the former, too, bearing an interest of only five per cent. while the latter yields six. If any discouragements can be honestly thrown on this transfer, it would seem adviseable, in order to keep the domestic debt at home. It would be a very effectual one, if, instead of the title existing in our treasury books alone, it was made to exist in loose papers, as our loan office debts do. The European holder would then be obliged to risk the title paper of his capital, as well as his interest, in the hand of his agent in America, whenever the interest was to be demanded; whereas, at present, he trusts him with the interest only. This single circumstance would put a total

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stop to all future sales of domestic debt at this market. Whether this, or any other obstruction, can or should be thrown in the way of these operations, is not for me to decide; but I have thought the subject worthy your consideration.

I have the honor to be, &c.

TH: JEFFERSON.

FROM THOMAS JEFFERSON TO JOHN JAY.

Paris, May 4, 1788.

Sir,

I had the honor of addressing you in two letters of the 13th and 16th of March, from Amsterdam, and have since received Mr. Remsen's, of February 20th. I staid at Amsterdam, about ten or twelve days after the departure of Mr. Adams, in hopes of seeing the million of the last year filled up. This, however, could not be accomplished on the spot, but the prospect was so good as to have dissipated all fear; and since my return here, I learn (not officially from our bankers) but through a good channel, that they have received over four hundred thousand florins, since the date of the statement I sent you in my letter of March 16th, and I presume we need not fear the completion of that loan, which shall provide for all our purposes of the year 1788, as stated in that paper. I hope, therefore, to receive from the treasury, orders in conformity thereto, that I may be able to proceed to the redemption of our captives. The provision for the purposes, of the year 1789 and 1790, as stated in the same paper, will depend on the ratification by

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Congress, of Mr. Adams' bonds of this year, for another million of florins. But there arises a new call from this Government, for its interest at least. Their silence, hitherto, has made it to be believed in general, that they consented to the non-payment of our interest to them, in order to accommodate us. You will perceive in the fifteenth and sixteenth pages of the *compte rendu*, which I have the honor to send you, that they call for the interest, and will publish it whether it be paid or not; and by number twenty-five, page eighty-one, that they count on its regular receipt for the purposes of the year. These calls for the 1st day of January 1789 and 1790, will amount to about a million and a half of florins more, and, if to be raised by loan, it must be for two millions, as well to cover the expenses of the loan, as that loans are not opened for fractions of millions. This publication seems to render a provision for this interest as necessary as for that of Amsterdam.

I had taken measures to have it believed at Algiers, that our government withdrew its attention from our captives there. This was to prepare their captors for the ransoming them at a reasonable price. I find, however, that Captain O'Bryen is apprized that I have received some authority on this subject. He writes me a cruel letter, supposing me the obstacle to their redemption. Their own interest requires that I should leave them to think thus hardly of me. Were the views of government communicated to them, they could not keep their own secret, and such a price would be demanded for them, as Congress probably would think ought not to be given, lest it should be the cause of involving thousands of others of their citizens in the same condition.

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The moment I have money, the business shall be set in motion.

By a letter from Joseph Chiappe, our agent at Mogadore, I am notified of a declaration of the Emperor of Morocco, that if the States General of the United Netherlands do not, before the month of May, send him an Ambassador, to let him know whether it is war or peace between them, he will send one to them with five frigates, and that if their dispositions be unfavorable, these frigates shall proceed to America, to make prizes on the Dutch, and to sell them there. It seems to depend on the Dutch, therefore, whether the Barbary powers shall learn the way to our coast, and whether we shall have to decide the question of the legality of selling in our ports, vessels taken from them.

I had informed you in a former letter of the declaration made by the Court of Spain to that of London, relative to its naval armament, and also of the declaration of the Count de Montmorin to the Russian Minister here, on the same subject. I have good information that the Court of Spain has itself made a similar and formal declaration to the Minister of Russia at Madrid. So that Russia is satisfied she is not the object, I doubt whether the English are equally satisfied as to themselves. The season has hitherto prevented any remarkable operations, between the Turks and the two Empires. The war however will probably go on, and the season now admits of more important events. The Empress has engaged Commodore Paul Jones in her service. He is to have the rank of Rear-Admiral with a separate command, and it is understood that he is in no case to be commanded. He will probably be opposed to the Captain Pacha on

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the Black sea. He received this invitation at Copenhagen, and as the season for commencing the campaign was too near, to admit time for him to ask and await the permission of Congress, he accepted the offer, only stipulating that he should be always free to return to the orders of Congress whenever called for, and that he should in no case be expected to bear arms against France. He conceived that the experience he should gain, would enable him to be more useful to the United States, should they ever have occasion for him. It has been understood that Congress had had it in contemplation to give him the grade of Rear-Admiral from the date of the action of the Serapis, and it is supposed that such a mark of their approbation, would have a favorable influence on his fortune in the North. Copies of the letters which passed between him and the Danish Minister are herewith transmitted. I shall immediately represent to Count Bernstorff that the demand for our prizes can have no connexion with a treaty of commerce, that there is no reason why the claims of our seamen should await so distant and uncertain an event, and press the settlement of this claim.

This country still pursues its line of peace. The Ministry seem now all united in it; some from a belief of their inability to carry on a war; others from a desire to arrange their internal affairs, and improve their constitution. The differences between the King and Parliament threaten a serious issue; many symptoms indicate that the Government has in contemplation some act of high handed authority. An extra number of printers have for several days been employed, the apartment wherein they are at work being surrounded by a body of guards who,

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permit nobody to come out or go in; the commanders of the provinces, civil and military, have been ordered to be at their stations in a certain day of the ensuing week. They are accordingly gone, so that the will of the King is probably to be announced through the whole kingdom on the same day. The Parliament of Paris, apprehending that some innovation is to be attempted, which may take from them the opportunity of deciding on it, after it shall be made known, came last night to the resolution of which I have the honor to enclose a manuscript copy. This you will perceive to be in effect a declaration of rights. I am obliged to close here the present letter, lest I should miss the opportunity of conveying it by a passenger who is to call for it. Should the delay of the packet admit any continuation of these details, they shall be the subject of another letter to be forwarded by post. The gazettes of Leyden and France accompany this.

I have the honor to be, &c.

TH: JEFFERSON.

Translation.

Debt of the United States comprehended in the following charges:

1. A loan of eighteen millions, re-imbursable in twelve years, reckoning from 1787, at the rate of fifteen hundred thousand livres per annum, with interest at five per cent.

2. A loan of ten millions made in Holland, re-imbursable in ten years, at the rate of one million per annum, reckoning from 1787, with interest at four per cent.

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3. A loan of six millions, re-imbursable in six years, at the rate of one million per annum, reckoning from 1787, with interest of five per cent.

Progression of the payment of arrearages and re-imbursements of the capital.

Years of re-imbursement.	Capitals of the three charges according to the fixed periods.	Interest of said capitals according to the fixed periods.	General total per annum.
	Livres.	Livres.	Livres.
1787	2,500,000	1,600,000	4,100,000
1788	2,500,000	1,485,000	3,985,000
1789	2,500,000	1,370,000	3,870,000
1790	2,500,000	1,255,000	3,755,000
1791	2,500,000	1,140,000	3,640,000
1792	2,500,000	1,025,000	3,525,000
1793	2,500,000	910,000	3,410,000
1794	2,500,000	795,000	3,295,000
1795	2,500,000	680,000	3,180,000
1796	2,500,000	565,000	3,065,000
1797	2,500,000	450,000	2,950,000
1798	2,500,000	325,000	2,825,000
1799	1,000,000	200,000	1,200,000
1800	1,000,000	150,000	1,150,000
1801	1,000,000	100,000	1,100,000
1802	1,000,000	50,000	1,050,000
Livres.	34,000,000	12,100,000	46,100,000

Seen and verified by desire, and in execution of the *arrêt* of Council of the 15th February, 1788, by us, the commissaries appointed by the said *arrêt*, and acknowledged conformable to the contract passed between the King and the thirteen United States of North America, the 25th February, 1783.

At Paris, this 15th March, 1788.

SAINT AMAND,
BARON DE SALVERTE,
DIDELOT.

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The first re-imbursement was to have taken place in 1787, it has not yet been made; until this was done it was thought proper only to carry into the receipts the interest of the advances made to the United States of America.

This interest amounts to 1,600,000 livres; account will be annually rendered of what shall have been paid, as well in capital as interest.

	Objects of receipts	Products.	Deductions	Nett remains in the Royal Treasury.
No. 25	Debt of the U.S. of America.	1,600,000		

FROM JOHN PAUL JONES TO COUNT DE BERNSTORFF.

Copenhagen, March 24, 1788.

Sir,

From the act* of Congress I had the honor to shew your Excellency, the 24th of this month, as well as from the conversation which followed, you must be convinced that circumstances do not permit me to remain here; but that I am under a necessity, either to return to France or proceed to Russia. As the Minister of the United States at Paris, gave me the perusal of the packet he wrote by me, and which I had the honor to present to you on my arrival here; it is needless to go

* An act presenting him with a gold medal.

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into any detail on the object of my mission to this Court, which Mr. Jefferson has particularly explained. The promise you have given me, of a prompt and explicit decision from this Court, on the act of Congress of the 25th October last, inspires me with full confidence. I have been very particular in communicating to the United States, all the polite attentions with which I have been honored at this Court, and they will learn with great pleasure the kind reception I had from you. I felicitate myself on being the instrument to settle the delicate national business in question, with a Minister, who conciliates the views of a wise statesman, with the noble sentiments and cultivated mind of the true philosopher and man of letters.

I have the honor to be, &c.

PAUL JONES.

FROM JOHN PAUL JONES TO COUNT DE BERNSTORFF.

Copenhagen, March 30, 1788.

Sir,

Your silence on the subject of my mission from the United States to this Court leaves me in the most painful suspense, the more so, as I have made your Excellency acquainted with the promise I am under to proceed as soon as possible to St. Petersburg. This being the ninth year since the three prizes reclaimed by the United States, were seized upon in the port of Bergen, in Norway, it is to be presumed, that this Court has long since taken an ultimate resolution respecting the compensation demanded by Congress.

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Though I am extremely sensible of the favorable reception, with which I have been distinguished at this Court, and am particularly flattered by the polite attention, with which you have honored me at every conference, yet, I have remarked with great concern, that you have never led the conversation to the object of my mission here. A man of your liberal sentiments will not, therefore, be surprized or offended at my plain dealing, when I repeat, that I impatiently expect a prompt and categorical answer in writing, from this Court, to the act of Congress of the 25th of October last; both my duty, and the circumstances of my situation, constrain me to make this demand in the name of my sovereign, the United States; but I beseech you to believe, that though I am extremely tenacious of the honor of the American flag, yet, my personal interest in the decision, I now ask, would never have induced me to present myself at this Court. You are too just, sir, to delay my business here, which would put me under the necessity to break the promise I have made to her Imperial Majesty, conformable to your advice.

I have the honor to be, &c.

PAUL JONES.

FROM JOHN PAUL JONES TO THE COUNT DE BERNSTORFF.

Copenhagen, April 5, 1788.

Sir,

I pray your Excellency to inform me when I can have the honor to wait on you, to receive the letter you have been kind enough to promise to write to me, in answer to

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the act of Congress of 25th October last. As you have told me that my want of Plenipotentiary powers to terminate *ultimately*, the business now on the carpet between this Court and the United States, has determined you to authorize the Baron de Blome to negotiate and settle the same with Mr. Jefferson at Paris, and to conclude at the same time, an advantageous treaty of commerce between Denmark and the United States, my business here will, of course, be at an end, when I shall have received your letter, and paid you my thanks in person for the very polite attentions, with which you have honored me.

I have the honor to be, &c.

PAUL JONES.

N. B. After the above letter had been delivered to the Minister, the subsequent answer was received from his Excellency.

FROM THE COUNT DE BERNSTORFF TO JOHN PAUL JONES.

Translation.

Sir,

You have requested me to answer the letter, which you did me the honor to deliver on the part of Mr. Jefferson, Minister Plenipotentiary of the United States to his most Christian Majesty; I do this with so much the more pleasure, inasmuch as you have inspired me with confidence, and an equal regard for your interest, and as this opportunity appears very fortunate and favorable to deliver the sentiments of the King, my master, concerning

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certain points which we consider as very important. Nothing can be more distant from the plan and wishes of his Majesty, than the intentions of abandoning a negotiation, which has only been suspended by a train of circumstances, naturally brought on through the necessity of allowing a new situation to be matured, of obtaining information concerning reciprocal interests, and of avoiding the inconveniences of a precipitate and imperfect arrangement. I am authorized, sir, to give you and through you to Mr. Jefferson, the King's word, that his Majesty will renew the negotiation for a treaty of amity and commerce, and that in the forms already agreed on, as soon as the new constitution (that admirable plan so becoming the wisdom of the most enlightened men) shall be adopted by a State, which requires nothing but that to secure it perfect respect.

If it has not been possible, sir, to discuss with you definitively, neither the principal nor secondary objects, the idea of eluding the question or delaying the decision was the last reason. I have already had the honor of informing you in our conversation, that a want of full powers from Congress themselves, occasion a natural and invincible objection. It would, moreover, be improper and contrary to all received usages to change the place of a negotiation, which without being broken has only been suspended, and to transfer it from Paris to Copenhagen.

I have but one request to make you, sir, which is that you will be pleased to become the interpreter of our sentiments respecting the United States of America. It would be very agreeable to me to hope that which I have said to you on this subject, has carried with it that conviction, which the truth of what I have advanced merits.

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We ardently desire to form with them a solid and useful connexion, we wish to establish it on a natural and a certain basis. The momentary clouds, the uncertainty which the misfortune of the times brought with them, no longer exist. They are no more to be recollected, but as they may serve to show more sensibly the blessings of a more happy epoch, and to testify an eagerness of evincing the most proper dispositions to reunite and procure reciprocally those advantages, which a sincere alliance may afford, and of which the two countries are susceptible. These are the dispositions, which I can promise you, sir, on our part; we flatter ourselves to find them the same in America, when nothing shall retard the conclusion of an arrangement, which I wish to consider as already far advanced.

Allow me to repeat again the assurances of the perfect and distinguished respect, with which

I have the honor to be, &c.

BERNSTORFF.

FROM THOMAS JEFFERSON TO JOHN JAY.

Paris, May 23, 1788.

Sir,

When I wrote my letter of the 4th instant, I had no reason to doubt that a packet would have sailed on the 10th, according to the established order. The passengers had all, except one, gone down to Havre, in this expectation. None, however, has sailed, and perhaps none will sail, as I think the suppression of the packets is one of the economies in contemplation. An Ameri-

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can merchant, concerned in the commerce of whale oil, proposes to government to despatch his ships from Havre and Boston, at stated periods, and to take on board the French courier and mail, and the proposition has been well enough received. I avail myself of a merchant vessel going from Havre, to write the present.

In my letter of the fourth, I stated to you the symptoms which indicated that government had some great stroke of authority in contemplation. That night they sent guards to seize M. d'Epremesnil and M. Goislard, two members of Parliament, in their houses. They escaped and took refuge in the palais, (or parliament house,) the parliament assembled itself extraordinarily, summoned the Dukes and Peers specially, and came to the resolution of the fifth, which they sent to Versailles by deputies, determined not to leave the palace until they received an answer. In the course of that night, a battalion of guards surrounded the house, the two members were taken by the officer from among their fellows, and sent off to prison, the one to Lyons, the other, (d'Epremesnil) the most obnoxious, to an Island in the Mediterranean. The parliament then separated. On the 8th, a bed of justice was held at Versailles, wherein were enregistered the six ordinances which had been passed in council on the 1st of May, and which I now send you. They were, in like manner, registered in beds of justice, on the same day, nearly in all the parliaments of the Kingdom. By these ordinances, 1st the criminal law is reformed, by abolishing examination on the *sellette*, which, like our holding up the hand at the bar, remained a stigma on the party, though innocent; by substituting an oath, instead of torture, on the

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question prealable, which is used after condemnation, to make the prisoner discover his accomplices; (the torture abolished in 1780, was on the *question preparatoire*, previous to judgment, in order to make the prisoner accuse himself) by allowing counsel to the prisoner for his defence, obliging the judges to specify in their judgments, the offence for which they are condemned, and respiting execution a month, except in the case of sedition. This reformation is unquestionably good, and within the ordinary legislative powers of the crown. That it should remain to be made at this day, proves that the Monarch is the last person in his Kingdom, who yields to the progress of philanthropy and civilization. 2d. The organization of the whole judiciary department is changed, by the institution of subordinate jurisdiction, the taking from the parliaments the cognizance of all causes of less value than twenty thousand livres, reducing the numbers to about a fourth, and suppressing a number of special courts. Even this would be a great improvement, if it it did not imply that the King is the only person in the nation who has any rights or any power. 3rd. The right of registering the laws is taken from the Parliament and transferred to a plenary court, created by the King. This last is the measure most obnoxious to all persons. Though the members are to be for life, yet the great proportion of them are from descriptions of men always candidates for the royal favor in other lines. As yet the general consternation is not yet sufficiently passed over, to say whether the matter will end here. I send you some papers which indicate symptoms of resistance. These are the resolution of the *Noblesse* of Brittany, the declara-

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tion of the Advocate General of Provence, which is said to express the spirit of that province, and the *arrêt* of the Chatelet, which is the hustings court of the city of Paris. Their refusal to act under the new character assigned them, and the suspension of their principal functions, is very embarrassing. The clamors this will excite, and the disorders it may admit, will be loud and near to the royal ear and person. The parliamentary fragments permitted to remain, have already, some of them, refused, and probably all will refuse to act under that form. The Assembly of the Clergy, which happens to be sitting, have addressed the King to call the States General immediately. Of the Dukes and Peers, (thirty-eight in number,) nearly half are either minors or superanuated; two-thirds of the acting half seem disposed to avoid taking a part; the rest, about eight or nine, have refused, by letters to the King, to act in the new courts. A proposition, executed among the Dukes and Peers, to assemble and address the King for a modification of the plenary court, seems to show that the Government would be willing to compromise on that head. It has been prevented by the Dukes and Peers, in opposition, because they suppose that no modification to be made by the Government will give to that body the form they desire, which is that of a representation of the nation. They will aim, therefore, at an immediate call of the States General. They foresee that if the Government is forced to this, they will call them as nearly as they can, in the ancient forms, in which case less good will be expected from them. But they hope they may be got to concur in a declaration of rights, at least; so that the nation may be acknowledged to have some fundamental rights not

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alterable by their ordinary legislature, and that this may form a ground work for future improvements. These seem to be the views of the most enlightened and disinterested characters of the opposition. But they may be frustrated by the nations making no say at all, or by a hasty and premature appeal to arms. There is neither head nor body in the nation to promise a successful opposition, to two hundred thousand regular troops. Some think the army could not be depended on by the Government; but the breaking men to military discipline, is breaking their spirits to principles of passive obedience. A firm but quiet opposition will be most likely to succeed. Whatever turn this crisis takes, a revolution in their constitution seems inevitable, unless foreign war supervene, to suspend the present contest; and a foreign war they will avoid if possible, from an inability to get money. The loan of one hundred and twenty millions of the present year, is filled up by such subscriptions as may be relied on. But that of eighty millions, proposed for the next year, cannot be filled up in the actual situation of things.

The Austrians have been successful in an attack upon Schabatz, intended as a preliminary to that of Belgrade. In that on Dubitza, another town in the neighborhood of Belgrade, they have been repulsed, and as is suspected, with considerable loss. It is still supposed the Russian fleet will go into the Mediterranean, though it will be much retarded by the refusal of the English Government, to permit its sailors to engage in the voyage. Sweden and Denmark are arming from eight to twelve ships of the line each. The English and Dutch treaty you will find in the Leyden gazettes of May 9th and 13th; that

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between England and Prussia is supposed to be stationary. Monsieur de St. Priest, the Ambassador from this Court to the Hague is either gone, or on the point of going. The Emperor of Morocco has declared war against England. I enclose you his orders in our favor on that occasion. England sends a squadron to the Mediterranean for the protection of her commerce, and she is re-enforcing her possessions in the two Indies. France is expecting the arrival of an embassy from Tippo Saib, is sending some regiments to the East Indies, and a fleet of evolution into the Atlantic. Seven ships of the line, and several frigates, sailed from Cadiz on the 22nd April, destined to perform evolutions off the western Islands, as the Spaniards say, but really to their American possessions, as is suspected. Thus the several powers are by little and little taking the position of war, without any immediate intention of waging it. But that the present ill humor will finally end in war, is doubted by no body.

In my letter of February 5th, I had the honor of informing you of the discontent produced by our *arrêt* of December 29th, among the merchants of this country, and the deputations from the chambers of commerce to the Minister on that subject. The articles attacked were the privileges on the sale of our ships, and the *entrepôt* for cod fish. The former I knew to be valuable; the latter I supposed not so; because, during the whole of the time we have had four free ports in this kingdom, we have never used them for the smuggling of fish. I concluded, therefore, the ports of *entrepôt* would not be used for that purpose. I saw the Minister would sacrifice something to quiet the merchants, and was glad to save

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the valuable article relative to our ships, by abandoning the useless one for our cod fish. It was settled, therefore, in our conferences, that an *arrêt* should be passed, abridging the former one only as to the *entrepôt* of cod fish. I was in Holland when the *arrêt* came out, and did not get a copy of it till yesterday. Surprised to find that fish oil was thereby excluded from the *entrepôt*, I have been today to make some inquiry into the cause, and from what I can learn, I conclude it must have been a mere error in the clerk, who framed the *arrêt*, and it escaped attention on its passage. The *entrepôt* of whale oil was not objected to by a single deputy at the conferences, and the excluding it, is contrary to the spirit of encouragement, the Ministers have shewn a disposition to give. I trust, therefore, I may get it altered on the first occasion which occurs, and I believe one will soon occur. In the meantime we do not store a single drop for re-exportation, as all which comes here is needed for the consumption of this country; which will alone, according to appearances, become so considerable as to require all we can produce.

By a letter of the 8th instant from our bankers, I learn that they had disposed of bonds enough to pay our June interest, and to replace the temporary advances made by M. Grand, and from a fund placed here by the State of Virginia. I have desired them accordingly to replace these moneys, which had been lent for the moment only, and in confidence of immediate repayment. They add that the payment of the June interest, and the news from America, will, as they trust, enable them to place the remaining bonds of the last year's million. I suppose indeed, that there is no doubt of it, and that none would

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have been expressed if those two houses could draw better together than they do. In the meantime I hope the Treasury Board will send an order for as much as may be necessary, for executing the purpose of Congress as to our captives at Algiers.

I send you herewith a memorial of Monsieur Caseaux, whose name is familiar on the journals of Congress. He prepared it to be delivered to the King, but I believe he will think better, and not deliver it.

The Gazettes of France and Leyden accompany this.

I have the honor to be, &c.

TH: JEFFERSON.

P. S. May 27th, 1788. I have kept my letter open to the moment of Mr. Warville's departure (he being the bearer of it) that I might add any new incidents that should occur. The refusal of the chatelet and *grande chambre* of Paris, to act in the new character assigned them, continues. Many of the *grandes balliages* accept, some conditionally, some fully. This will facilitate greatly the measures of government, and may possibly give them a favorable issue. The parliament of Thoulouse, considering the edicts as nullities, went on with their business. They have been exiled in consequence. Monsieur de St. Priest, left Paris for the Hague, on the 23rd. I mention this fact, because it denotes the acquiescence of this government in the late revolution there. A second division of the Spanish fleet will put to sea soon, its destination not declared. Sweden is arming to a greater extent than was at first supposed. From twelve to sixteen sail of the line are spoken of on good grounds. Denmark, for her own security, must arm in proportion to this. T. J.

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FROM THOMAS JEFFERSON TO JOHN JAY.

(Private.)

Paris, May 27, 1788.

Sir,

The change which is likely to take place in the form of our Government, seems to render it proper that during the existence of the present Government, an article should be mentioned which concerns me personally. Uncertain, however, how far Congress may have decided to do business when so near the close of their administration; less capable than those on the spot of foreseeing the character of the new Government; and not fully confiding in my own judgment, where it is so liable to be seduced by feeling, I take the liberty of asking your friendly counsel, and that of my friend Mr. Madison, and of referring the matter to your judgments and discretion.

Mr. Barclay, when in Europe, was authorized to settle all the European accounts of the United States. He settled those of Doctor Franklin and Mr. Adams, and it was intended between us, that he should settle mine. But as what may be done at any time is often put off to the last, this settlement had been made to give way to others, and that of Beaumarchais being pressed on Mr. Barclay before his departure for Morocco, and having long retarded his departure, it was agreed that my affair should await his return from that mission. You know the circumstances which prevented his return to Paris after that mission was finished. My account is, therefore, unsettled; but I have no anxiety on any article of it except one; that is the outfit. This consists of, 1. Clothes. 2. Carriage and horses. 3. Household furniture. When

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Congress made their first appointments of Ministers to be resident in Europe, I have understood (for I was not then in Congress) that they allowed them all their expenses, and a fixed sum over and above for their time. Among their expenses was necessarily understood their outfit. Afterwards they thought proper to give them fixed salaries of eleven thousand one hundred and eleven dollars and one ninth a year. And again, by a resolution of May 6th and 8th, 1784, the salaries of their Ministers at foreign Courts, were reduced to nine thousand dollars, to take place on the first of August ensuing. On the 7th of May I was appointed, in addition to Mr. Adams and Doctor Franklin, for the negotiation of treaties of commerce; but the appointment being temporary, for two years only, and not as of a resident Minister, the article of outfit did not come into question. I asked an advance of six months salary, that I might be in cash to meet the first expenses, which was ordered. The year following I was appointed to succeed Doctor Franklin at this Court. This was the first appointment of a Minister resident since the original ones, under which all expenses were to be paid. So much of the ancient regulation as respected *annual expenses*, had been altered to a sum certain; so much of it as respected *first expenses or outfit*, remained unaltered; and I might, therefore, expect that the actual expenses for outfit were to be paid. When I prepared my account for settlement with Mr. Barclay, I began a detail of the articles of clothes, carriage, horses and household furniture. I found that they were numerous, minute, and incapable, from their nature, of being vouched; and often entered into my memorandum book, under a general head only, so that

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I could not specify them. I found they would exceed a year's salary. Supposing, therefore, that mine, being the first case, Congress would make a precedent of it, and prefer a sum fixed for the outfit, as well as the salary. I have charged it in my account at a year's salary, presuming there can be no question that an outfit is a reasonable charge. It is the usage here, (and I suppose at all Courts) that a Minister resident, shall establish his house in the first instant. If this is to be done out of his salary, he will be a twelvemonth, at least, without a copper to live on. It is the universal practice, therefore, of all nations, to allow the outfit as a separate article from the salary. I have inquired here, into the usual amount of it, I find that, sometimes, the Sovereign pays the actual cost, this is particularly the case of the Sardinian Ambassador, now coming here, who is to provide a service of plate, and every article of furniture, and other matters of first expense, to be paid for by his Court. In other instances, they give a service of plate, and a fixed sum for all other articles, which fixed sum is in no case lower than a year's salary.

I desire no service of plate, having no ambition for splendor. My furniture, carriage and apparel, are all plain, yet they have cost me more than a year's salary. I suppose, that in every country, and in every condition of life, a years expense would be found a moderate measure for the furniture of a man's house. It is not more certain to me, that the sun will rise to-morrow, than that our government must allow the outfit, on their future appointment of foreign Ministers; and it would be hard on me to stand between the discontinuance of a former rule, and institution of a future one, as to have

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the benefit of neither. I know I have so long known the character of our federal head, in its present form, that I have the most unlimited confidence in the justice of its decisions. I think I am so far known to many of the present Congress, as that I may be cleared of all views of making money out of any public employment, or of desiring any thing beyond actual and decent expenses, proportioned to the station in which they have been pleased to place me, and to the respect they would wish to see attached to it. It would seem right, that they should decide the claims of those who have acted under their administration, and their pretermission of any article, might amount to a disallowance of it, in the opinion of the new government. It would be painful to me to meet that government with a claim under this kind of cloud, and to pass it in review before their several houses of legislation, and boards of administration, to whom I shall be unknown; and being for money actually expended, it would be too inconvenient to me to relinquish it in silence. I anxiously ask it, therefore, to be decided on by Congress, before they go out of office; if it be not out of the line of proceeding they may have chalked out for themselves. If it be against their inclination to determine it, would it be agreeable to them to refer it to the new government, by some resolution, which should shew, they have not meant to disallow it, by passing it over? Not knowing the circumstances under which Congress may exist, and act at the moment you shall receive this, I am unable to judge what should be done on this subject. It is, therefore, that I ask the aid of your friendship, and that of Mr. Madison, that you will do for me in this regard, what you think it is

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right should be done, and what it would be right for me to do, were I on the spot, or were I apprized of all existing circumstances. Indeed, were you two to think my claim an improper one, I would wish it to be suppressed, as I have so much confidence in your judgment, that I should suspect my own in any case, where it varied from yours, and more especially in one where it is liable to be warped by feeling. Give me leave, then, to ask your consultation with Mr. Madison on this subject, and to assure you, that whatever you are so good as to do herein, will be perfectly approved, and considered as a great obligation conferred on him, who has the honor to be, &c.

TH: JEFFERSON.

FROM THOMAS JEFFERSON TO WILLIAM CARMICHAEL.

Paris, May 27, 1788.

Dear Sir,

Your favors of April the 14th and 29th, and May the 8th, have lately come to hand. That of January the 29th, by M. de Molinedo, had been left here during my absence on a journey to Amsterdam. That gentleman had gone, as I presume, before my return, from my being unable to learn any thing of him.

* * * * * * * * *

With respect to the isthmus of Panama, I am assured by Burgoin, (who would not choose to be named however,) that a survey was made, that a canal appeared very practicable, and that the idea was suppressed for political reasons altogether. He has seen and minutely examined

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the report. This report is to me a vast desideratum, for reasons political and philosophical. I cannot help suspecting the Spanish squadron to be gone to South America, and that some disturbances have been excited there by the British. The Court of Madrid may suppose we would not see this with an unwilling eye. This may be true as to the uninformed part of our people; but those who look into futurity farther than the present moment or age, and who combine well what is, with what is to be, must see that our interests well understood, and our wishes are that Spain shall (not forever) but, very long retain her possessions in that quarter; and that her views and ours must, in a good degree, and for a long time concur. It is said in our gazettes, that the Spaniards have sunk one of our boats on the Mississippi, and that our people retaliated on one of theirs. But my letters not mentioning the fact, have made me hope it is not true, in which hope your letter confirms me. There are now one one hundred thousand inhabitants in Kentucky. They have accepted the offer of independence, on the terms proposed by Virginia, and they have decided that their independent government shall begin on the first day of the next year. In the meantime, they claim admittance into Congress. Georgia has ceded her western territory to the United States, to take place with the commencement of the new Federal Government. I do not know the boundaries. There has been some dispute of etiquette with the new French Minister which has disgusted him.

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The following is a state of the progress and prospects of the new plan of government.

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The conduct of Massachusetts has been noble. She accepted the constitution, but voted that it should stand as a perpetual instruction to her delegates, to endeavor to obtain such and such reformations; and the minority, though very strong both in numbers and abilities, declared *viritim* and *seriatim*, that acknowledging the principle that the majority must give the law, they would now support the new constitution with their tongues, and with their blood, if necessary. I was much pleased with many and essential parts of this instrument from the beginning. But I thought I saw in it many faults, great and small. What I have read and reflected, has brought me over from several of my objections of the first moment, and to acquiesce under some others. Two only remain of essential consideration, to wit: the want of a bill of rights, and the expunging the principle of necessary rotation in the offices of President and Senator. At first, I wished that when nine States should have accepted the constitution, so as to ensure us what is good in it, the other four might hold off till the want of the bill of rights at least might be supplied. But I am now convinced that the plan of Massachusetts is the best, that is, to accept, and to amend afterwards. If the States which were to decide after her, should all do the same, it is impossible, but that they must obtain the essential amendments. It will be more difficult, if we lose this instrument, to recover what is good in it, than to correct what is bad, after we shall have adopted it. It has, therefore, my hearty prayers, and I await with anxiety for news of the votes of Maryland, South Carolina and Virginia. There is no doubt that General Washington will accept the Presidentship; though he is silent on the

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subject. He would not be chosen to the Virginia Convention. A riot has taken place in New York, which I will state to you from an eye witness. It has long been a practice with the surgeons of that city to steal from the grave, bodies recently buried. A citizen had lost his wife; he went the first or second evening after her burial to pay a visit to her grave. He found that it had been disturbed, and suspected from what quarter. He found means to be admitted to the anatomical lecture of that day, and on his entering the room, saw the body of his wife, naked and under dissection. He raised the people immediately. The body in the meantime, was secreted. They entered into and searched the houses of the physicians, whom they most suspected, but found nothing. One of them, however, more guilty or more timid than the rest, took asylum in the prison.

The mob considered this an acknowledgment of guilt. They attacked the prison. The Governor ordered militia to protect the culprits and suppress the mob. The militia thinking the mob had just provocation, refused to turn out. Hereupon, the people of more reflection, thinking it more dangerous that even a guilty person should be punished without the form of law, than that he should escape, armed themselves, and went to protect the physician. They were received by the mob with a volley of stones, which wounded several of them. They hereupon, fired on the mob and killed four. By this time they received a re-inforcement of other citizens of the militia horse, the appearance of which, in the critical moment, dispersed the mob. So ended this chapter of history, which I have detailed to you, because it may be represented as a political riot, when politics had nothing

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to do with it. Mr. Jay and Baron Steuben were both grievously wounded in the head by stones. The former still kept his bed, and the latter his room, when the packet sailed, which was the 24th of April.

I have the honor to be, &c.

TH: JEFFERSON.

FROM THOMAS JEFFERSON TO JOHN JAY.

Paris, May 30, 1788.

Sir,

A further delay of Mr. Warville, enables me to acknowledge the receipt of your letter of April 24th, by Mr. Paradise. Nothing new has occurred since the date of my other letters which go by this conveyance, except that about one-third of the *Baillages* have accepted their appointments. If the others pretty generally should do the same, and the *Chatelet* be brought over, it will place Government pretty much at their ease, to pursue their other views of change. The only symptoms of violence which have appeared, have been in Brittany, Provence and Languedoc.

I have the honor to be, &c.

TH: JEFFERSON.

FROM JOHN JAY TO THOMAS JEFFERSON.

Office for Foreign Affairs,
September 23, 1788.

Dear Sir,

My last to you was dated the 9th June, since which, I have been honored with yours of the 4th, 23d, and 30th

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May last, which, with the papers that accompanied them, were communicated to Congress.

Two copies of the ratification of Mr. Adams' last contract have been transmitted to you, under cover to Messrs. Willinks and Van Staphorsts, by vessels bound to Amsterdam. A Triplicate will be enclosed with this, together with the following papers, viz: The requisition of Congress for the present year, passed the 25th of last month; a copy of an act of the 13th instant, enabling you to provide for the subsistence of the American captives at Algiers, and approving of your supplementary instruction to Mr. Lamb on that head; a copy of an act of the same date, for putting the constitution into operation, and also the printed journals necessary to complete your set, and a parcel of the latest newspapers.

These despatches will go from Boston, in a vessel bound from thence to France. How far this conveyance may be a safe one, I am not well informed. I nevertheless, think it best to postpone details for the present, as well as the private letter, which you have reason to expect from me on the subject, you also hinted to Mr. Madison, with whom I have conferred respecting it. There is a reluctance in some to adopt the idea it suggests, and I apprehend that others will prefer delay to a decision upon it.

With very sincere esteem, &c.

JOHN JAY.

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FROM THOMAS JEFFERSON TO THE COMTE DE BERNSTORFF.

Paris, June 19, 1788.

I had the honor of addressing your Excellency, by Admiral Paul Jones, on the 21st of January, on the subject of the prizes taken under his command during the late war, and sent into Bergen. I communicated, at the same time, a copy of the powers which the Congress of the United States of America had been pleased to confide to me therein, having previously shewn the original to the Baron de Blome, Envoy Extraordinary of his Majesty, the King of Denmark, at their Court, and I furnished, at the same time, to Admiral Paul Jones, such authority as I was empowered to delegate, for the arrangement of this affair. That officer has transmitted me a copy of your Excellency's letter to him, after the 4th of April, wherein you are pleased to observe, that the want of full powers on his part, was an invincible obstacle to the definite discussion of this claim with him, and to express your dispositions to institute a settlement at this place. Always assured of the justice and honor of the Court of Denmark, and encouraged by the particular readiness of your Excellency to settle and remove this difficulty from between the two nations, I take the liberty of recalling your attention to it. The place of negotiation proposed by your Excellency, meets no objection from us, and it removes, at the same time, that which the want of full powers in Admiral Paul Jones, had produced in your own mind. These full powers, Congress has been pleased to honor me with. The arrangement taken between the person to be charged with

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your full powers, and myself, will be final and conclusive. You are pleased to express a willingness to treat at the same time, on the subjects of amity and commerce. The powers formerly communicated on our part, were given to Mr. Adams, Doctor Franklin and myself, for a limited term only. That term has expired, and the other two gentlemen returned to America; so that no person is commissioned, at this moment, to renew those conferences. I may safely, however, assure your Excellency, that the same friendly dispositions still continue, and the same desire of facilitating and encouraging a commerce between the two nations, which produced the former appointment. But our nation is, at this time, proposing a change in the organization of its Government. For this change to be agreed to by all the members of the Union, the new administration chosen and brought into activity, their domestic matters arranged, which will require their first attention, their foreign system afterwards decided on, and carried into full execution, will require a very considerable length of time. To place under the same delay, the private claims which I have the honor to present to your Excellency, would be hard on the persons interested; because these claims have no connexion with the system of commercial connexion, which may be established between the two nations, nor with the particular form of our administration. The justice due to them is complete, and the present administration as competent to final settlement as any future one will be, should a future change take place. These individuals have already lingered nine years in expectation of their hard and perilous earnings. Time lessens their numbers continually, disperses their representatives, weakens the evidence of their right,

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and renders more and more impracticable, his Majesty's dispositions to repair the private injury, to which public circumstances constrained him. These considerations, the just and honorable intentions of your Excellency, and the assurances you give us in your letter, that no delay is wished on your part, give me strong hopes that we may speedily obtain that final arrangement, which express instructions render it my duty to urge. I have the honor, therefore, of agreeing with your Excellency, that the settlement of this matter, formerly begun at Paris, shall be continued there; and to ask that you will be pleased to give powers and instructions for this purpose, to such persons as you shall think proper, and in such full form as may prevent those delays, to which the distance between Copenhagen and Paris might otherwise expose us.

I have the honor to be, &c.

TH: JEFFERSON.

FROM THOMAS JEFFERSON TO THE COUNT DE MONTMORIN.

Paris, June 20, 1788.

Sir,

Having had the honor of mentioning to your Excellency, the wish of Congress that certain changes should be made in the articles for a Consular Convention, which had been sent to them, I have now that, conformably to the desire you expressed, of giving a general idea of the alterations to be proposed.

The fourth article gives to the Consuls, the immunities of the law of nations. It has been understood however, that the laws of France do not admit of this; and

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that it might be desirable to expunge this article. In this we are ready to concur, as in every other case, where an article might call for changes in the established laws, either inconvenient or disagreeable.

After establishing in favor of Consuls, the general immunities of the law of nations, one consequence of which would have been, that they could not have been called upon to give testimony in Courts of justice. The 5th article requires, that after the observance of certain formalities, which imply very high respect, they shall make a declaration, *but in their own houses* [*Chez eux*] as may be pretended, if not justly inferred, from the expressions in the article. But our laws, require, indispensably, a personal examination of witnesses in the presence of the parties, of their counsel, the jury and judges, each of whom has a right to ask of them all questions pertinent to the fact. The first and highest officers of our government, are obliged to appear personally to the order of a Court to give evidence. The Court takes care that they are treated with respect. It is proposed, therefore, to omit this article for these particular reasons, as well as for the general one, that the fourth being expunged, this, which was but an exception to that, falls of course.

The 7th, 8th, 10th and 14th articles extend their preeminences far beyond those, which the laws of nations would have given. These articles require that the declarations made in the presence of Consuls, and certified by them, shall be received in evidence in all Courts whatever; and in some instances give to their certificates a credibility, which excludes all other testimony; the cases are rare in which our Courts admit written evidence of facts; and such evidence when admitted, must have been

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in the presence of both parties, and must contain the answers to all the pertinent questions, which they may have desired to ask of the witness; and to no evidence of whatever nature, written or not, do our laws give so high credit, as to exclude all counter proof. These principles are of such ancient foundation in our system of jurisprudence, and are so much valued and venerated by our citizens, that perhaps it would be impossible to execute articles, which should contravene them, nor is it imagined that these stipulations can be so interesting to this country as to balance the inconvenience and hazard of such an innovation with us. Perhaps, it might be found that the laws of both countries require a modification of this article, as it is inconceivable that the certificate of an American Consul in France, could be permitted by one of its Courts to establish a fact, the falsehood of which should be notorious to the Court itself.

The 8th article gives to the Consuls of either nation, a jurisdiction in certain cases over foreigners of any other. On a dispute arising in France, between an American and a Spaniard or an Englishman, it would not be fair, to abandon the Spaniard or Englishman to an American Consul. On the contrary, the territorial judge, as neutral, would seem to be the most impartial. Probably, therefore, it will be thought convenient for both parties to correct this stipulation.

A dispute arising between two subjects of France, the one being in France and the other in the United States, the regular tribunals of France would seem entitled to a preference of jurisdiction; yet the 12th article gives it to their Consul in America, and to a Consul of the United States in France in a like case between their citizens.

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The power given by the tenth article, of arresting and sending back a vessel, its captain and crew, is a very great one indeed, and in our opinion, more safely lodged with the territorial judge. We would, ourselves, trust the tribunals of France to decide, when there is just cause for so high-handed an act of authority over the persons and property of so many of our citizens, to all of whom these tribunals will stand in a neutral and impartial relation, rather than any single person whom we may appoint as Consul, who will seldom be learned in the laws, and often susceptible of influence from private interest and personal pique. With us, applications for the arrest of vessels, and of their masters, are made to the admiralty courts. These are composed of the most learned and virtuous characters in the several States; and the maritime law, common to all nations, is the rule of their proceedings. The exercise of foreign jurisdiction, within the pale of their own laws, in a very high case, and wherein those laws have made honorable provisions, would be a phenomenon never yet seen in our country, and which would be seen with great jealousy and uneasiness. On the contrary, to leave this power with the territorial Judge, will inspire confidence and friendship, and be really, at the same time, more secure against abuse. The power of arresting deserted seamen, seems necessary for the purposes of navigation and commerce, and will be more attentively and effectually exercised by the Consul, than by the territorial Judge. To this part of the tenth article, therefore, as well as to that which requires the territorial Judge to assist the Consul in the exercise of this function, we can accede. But the extension of the like power to passengers, seems not necessary for the pur-

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poses either of navigation or commerce. It does not come, therefore, within the functions of the Consuls, whose institution is for those two objects only; nor within the powers of a commissioner, authorized to treat and conclude a Convention solely for regulating the powers, privileges and duties of Consuls. The arrest and detention of passengers, moreover, would often be in contradiction to our bills of rights, which, being fundamental, cannot be obstructed in their operation, by any law or Convention whatever.

Consular institutions being entirely new with us, Congress think it wise to make their first Convention probationary, and not perpetual. They propose, therefore, a clause for limiting its duration to a certain term of years. If, after the experience of a few years, it should be found to answer the purposes intended by it, both parties will have sufficient inducements to renew it, either in its present form, or with such alterations and amendments as time, experience, and other circumstances, may indicate.

The Convention, as expressed in the French language, will fully answer our purposes in France, because it will there be understood. But it will not equally answer the purposes of France in America, because it will not there be understood. In very few of the courts, wherein it may be presented, will there be found a single Judge or advocate, capable of translating it at all, much less of giving to all its terms, legal and technical, their exact equivalent in the law and language of that country. Should any translation which Congress would undertake to publish for the use of our courts, be conceived, on any occasion, not to render fully the idea of the French original, it might be imputed as an indirect attempt to

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abridge or extend the terms of a contract, at the will of one party only. At no place are there better helps than here, for establishing an English text equivalent to the French, in all its phrases; no persons can be supposed to know what is meant by these phrases, better than those who form them; and no time more proper to ascertain their meaning in both languages, than that at which they are formed. I have, therefore, the honor to propose that the Convention shall be faithfully expressed in English as well as in French, in two columns, side by side; that these columns be declared, each of them, to be the text, and to be equally original and authentic in all courts of justice.

This, sir, is a general sketch of the alterations, which our laws and our manner of thinking render necessary in this Convention, before the faith of our country is engaged for its execution. Some of its articles, in its present form, could not be executed at all, and others would produce embarrassments and ill humor, to which it would not be prudent for our government to commit itself. Inexact execution on the one part, would naturally beget dissatisfaction and complaints on the other, and an instrument intended to strengthen our connexion, might thus become the means of loosening it. Fewer articles, better observed, will better promote our common interests. As to ourselves, we do not find the institution of Consuls very necessary. Its history commenced in times of barbarism, and might well have ended with them. During these, they were, perhaps useful, and may still be so, in countries not yet emerged from that condition. But all civilized nations, at this day, understand so well the advantages of commerce, that they

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provide protection and encouragement for merchants, strangers and vessels, coming among them. So extensive too, have commercial connexions now become, that every mercantile house has correspondents in almost every port. They address their vessels to these correspondents, who are found to take better care of their interests, and to obtain more effectually the protection of the laws of the country for them, than the Consul of their nation can. He is generally a foreigner, unpossessed of the little details of knowledge of greatest use to them. He makes national questions of all the difficulties which arise, the correspondent prevents them. We carry on commerce with good success, in all parts of the world, yet we have not a Consul in a single port, nor a complaint for the want of one, except from the persons who wish to be Consuls themselves. Though these considerations may not be strong enough to establish the absolute inutility of Consuls, they may make us less anxious to extend their privileges and jurisdictions, so as to render them objects of jealousy, and irritation, in the places of their residence. That this government thinks them useful, is sufficient reason for us to give them all the functions and facilities, which our circumstances will admit. Instead, therefore, of declining every article which will be useless to us, we accede to every one which will not be inconvenient. Had this nation been alone concerned, our desire to gratify them, might have tempted us to press still harder on the laws and opinions of our country. But your Excellency knows, that we stand engaged in treaties with some nations, which will give them occasion to claim whatever privileges we yield to any other. This renders

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circumspection more necessary. Permit me to add one other observation. The English allow to foreign Consuls scarcely any functions within their ports. This proceeds, in a great measure, from the character of their laws, which eye with peculiar jealousy, every exemption from their control. Ours are the same in their general character, and rendered still more unpliant, by our having thirteen parliaments to relax, instead of one. Upon the whole, I hope your Excellency will see the cause of the delay which this Convention has met with, in the difficulties it presents, and our desire to surmount them, and will be sensible that the alterations proposed, are dictated to us by the necessity of our circumstances, and by a caution, which cannot be disapproved, to commit ourselves to no engagements, which we foresee we might not be able to fulfil.

These alterations, with some smaller ones, which may be offered on the sole principle of joint convenience, shall be the subject of more particular explanation whenever your Excellency shall honor me with a conference thereon. I shall then, also, point out the verbal changes which appear to me necessary, to accommodate the instrument to the views before expressed. In the meantime,

I have the honor of being, &c.

TH: JEFFERSON.

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FROM THOMAS JEFFERSON TO JOHN JAY.

Paris, July 29, 1788.

Sir,

Having received the enclosed letter* from Julien Laurent claiming his wages as a volunteer on board the Bon Homme Richard, I have the honor of forwarding it to you, supposing it will of course be referred to the proper office to take order on.

I have the honor to be, &c.

TH: JEFFERSON.

FROM THOMAS JEFFERSON TO JOHN JAY.

Paris, August 3, 1788.

Sir,

My last letters to you were of the 4th and 23d of May, with a P. S. of the 27th, since that I have been honored with yours of April 24th, May 16th, and June the 9th.

The most remarkable internal occurrences since my last are these. The *Noblesse* of Bretagne, who had received with so much warmth the late innovations in the government, assembled, and drew up a memorial to the King, and chose twelve members of their body to come and present it. Among these was the Marquis de la Rouerie (Colonel Armand.) The King, considering the *Noblesse* as having no legal right to assemble, declined receiving the memorial. The deputies, to give greater weight to it, called a meeting of the landed proprietors of

* Sent to the Board of Treasury 11th June, 1789.

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Bretagne, resident at Paris, and proposed to them to add their signatures. They did so, to the number of about sixty, of whom the Marquis de la Fayette was one. The twelve deputies, for having called this meeting, were immediately sent to the Bastile, where they now are, and the Parisian signers were deprived of such favors as they held of the Court. There were only four of them, however, who held any thing of that kind. The Marquis de la Fayette was one of these; they had given him a military command to be exercised in the south of France, during the months of August and September of the present year. This they took from him; so that he is disgraced in the ancient language of the Court, but in truth, honorably marked in the eyes of the nation. The Ministers are so sensible of this, that they have had separately, private conferences with him, to endeavor, through him, to keep things quiet. From the character of the province of Bretagne, it has been much apprehended, for some days, that the imprisonment of their deputies would have produced an insurrection. But it took another turn. The *cours intermediaires* of the province, acknowledged to be a legal body, deputed eighteen members of their body to the King. To these he gave an audience, and the answer, of which I send you a copy. This is hard enough. Yet I am in hopes the appeal to the sword will be avoided, and great modifications in the Government be obtained, without bloodshed. As yet none has been spilt, according to the best evidence I have been able to obtain, notwithstanding what the foreign newspapers have said to the contrary. The convocation of the States General is now become inevitable. Whenever the time shall be announced certainly, it will keep

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the nation quiet till they meet. According to present probabilities, this must be in the course of the next summer. But to what movements their meeting and measures may give occasion, cannot be foreseen. Should a foreign war take place, still they must assemble the States General, because they cannot, but by their aid, obtain money to carry it on. Monsieur de Malesherbe will, I believe, retire from the King's Council. He has been much opposed to the late acts of authority. The Baron de Breteuil has resigned his secretaryship of the domestic department. Certainly not for the same reasons, as he is known to have been of opinion that the King had compromitted too much of his authority. The real reason has probably been an impatience of acting under a principal Minister. His successor is M. de Villedeuil, late Comptroller General.

The Ambassadors of Tippoo Saib have arrived here. If their mission has any other object than that of pomp and ceremony, it is not yet made known. Though this Court has not avowed that they are in possession of Trincomali, yet the report is believed, and that possession was taken by General Conway, in consequence of orders given in the moment that they thought a war certain. The dispute with the States General of the United Netherlands, on account of the insult to M. de St. Priest, does not tend as yet towards a settlement. He has obtained leave to go to the waters, and perhaps, from there he may come to Paris, to await events. Sweden has commenced hostilities against Russia, by the taking a little fortress by land. This having been their intention, it is wonderful, that when their fleet lately met three Russian ships, of one hundred guns each, they saluted,

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instead of taking them. The Empress has declared war against them in her turn. It is well understood that Sweden is set on by England, and paid by the Turks. The prospect of Russia has much brightened by some late successes. Their fleet of galleys and gun boats, twenty-seven in number, having been attacked by fifty-seven Turkish vessels of the same kind, commanded by the Captain Pacha, these were repulsed with the loss of three vessels. In the action, which was on the 18th of June, Admiral Paul Jones, commanded the right wing of the Russians, and the Prince of Nassau the left. On the 26th of the same month, the Turkish principal fleet, that is to say, their ships of the line, frigates, &c. having got themselves near to the swash, at the mouth of the Boristhenes, the Prince of Nassau took advantage of their position, attacked them, while so engaged in the mud that they could not manœuvre, burnt six, among which was the Admiral's and Vice Admiral's, took two, and made between three or four thousand prisoners. The first report gave this success to Admiral Paul Jones, but it is now rendered rather probable that he was not there, as he commands the vessels of war, which are said not to have been there. It is supposed his presence in the affair of the 18th, was accidental. But, if this success has been as complete as it is represented, the Black Sea must be tolerably open to the Russians, in which case we may expect, from what we know of that officer, that he will improve to the greatest advantage the situation of things on that sea. The Captain Pacha's standard was taken in the last action, and himself obliged to make his escape in a small vessel. Prince Potemkin immediately got under march for Oczakow, to take

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advantage of the consternation into which that place was thrown.

The Spanish squadron, after cruizing off the western Isles and Cape St Vincent, is returned into port.

A dispute has arisen between the Papal See and the King of Naples, which may, in its progress, enable us to estimate what degree of influence that See retains at the present day. The Kingdom of Naples, at an early period of its history, became feudatory to the See of Rome, and, in acknowledgment thereof, has annually paid a hackney to the Pope in Rome, to which place it has always been sent by a splendid embassy. The hackney has been refused by the King this year, and the Pope, giving him three months to return to obedience, threatens, if he does not, to proceed seriously against him.

About three weeks ago a person called on me, and informed me that Silas Deane had taken him in for a sum of 120 guineas, and that being unable to obtain any other satisfaction, he had laid hands on his account book, and letter book, and had brought them off to Paris, to offer them first to the United States, if they would repay him his money, and, if not that he should return to London and offer them to the British Minister. I desired him to leave them with me four and twenty hours, that I might judge whether they were worth our notice. He did so; they were two volumes. One contained all his accounts with the United States, from his first coming to Europe, to January 10th, 1781. Presuming that the Treasury Board was in possession of this account till his arrival in Philadelphia, August 1778, and that he had never given in the subsequent part, I had that subsequent

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part copied from the book, and now enclose it, as it may on some occasion or other perhaps, be useful in the treasury office. The other volume contained all his correspondencies from March 39th to August 23d, 1777. I had a list of the letters taken, by their dates and addresses, which will enable you to form a general idea of the collection, on the perusal of many of them. I thought it desirable that they should not come to the hands of the British Minister, and from an expression dropped by the possessor of them, I believe he would have fallen 50 or 60 guineas. I did not think them important enough, however, to justify my purchasing them without authority, though with authority, I should have done it. Indeed I would have given that sum to cut out a single sentence which contained evidence of a fact not proper to be committed to the hands of enemies. I told him I would state his proposition to you and await orders. I gave him back the books and he returned to London, without making any promise that he would await the event of the orders, you might think proper to give.

News of the accession of nine States to the new form of federal government has been received here about a week. I have the honor to congratulate you sincerely on this event. Of its effect at home you are in the best situation to judge. On this side the Atlantic it is considered as a very wise reformation. In consequence of this, speculations are already begun here to purchase up our domestic liquidated debt. Indeed, I suspect that orders may have been previously lodged in America to do this as soon as the new constitution was accepted effectually. If it is thought that this debt should be retained at home, there is not a moment to lose; and I know of no means

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of retaining it, but those I suggested to the Treasury Board in my letter to them of March 29th. The transfer of these debts to Europe will excessively embarrass, and perhaps totally prevent the borrowing any money in Europe till these shall be paid off. This is a momentous object, and in my opinion should receive instantaneous attention. The Gazettes of France to the departure of my letter will accompany it, and those of Leyden to the 22nd of July, at which time their distribution in this this country was prohibited. How long the prohibition may continue I cannot tell. As far as I can judge, it is the only paper in Europe worth reading. Since the suppression of the packet boats, I have never been able to find a safe conveyance for a letter to you, till the present by Mrs. Barclay. Whenever a confidential person shall be going from thence to London, I shall send my letters for you to the care of Mr. Trumbull, who will look out for safe conveyances. This will render the epochs of my writing very irregular. There is a proposition under consideration for establishing packet boats on a more economical plan from Havre to Boston. But its success is uncertain, and still more its duration.

I have the honor to be, &c.

TH: JEFFERSON.

Reply of the King to the Deputies and Commissioners of the States of Brittany.

Translation.

I have read the memorial which you delivered me. I had already read that which preceded it, and you need not have recalled them to my memory.

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I shall always receive any representations which are made to me in the forms prescribed.

The assembly which deputed twelve gentlemen were not authorized, not having asked permission for the purpose; those deputies have themselves convoked a more irregular assembly at Paris. I have thought it proper to punish them; the means to merit my clemency is, not to continue in Brittany, by illegal assemblies, the cause of my discontent. The commissions which you have been charged with, to request the re-establishment of Brittany, must not precede the conduct they must observe; they must not solicit for a mark of my confidence, while I am forced to give them these of my animadversion.

But these personal punishments, which the good order and maintenance of my authority require, do not in any manner alter my affection for my province of Brittany.

Your States will be assembled in the month of October; it is from them that I shall know the views of the province. I will attend to their representations, and will have that regard for them which they may merit; your privileges shall be considered.

In shewing me fidelity and submission, all may hope for my goodness; and the greatest complaint that my subjects will have in their power against me, is, forcing me to acts of rigor and severity.

My intention is, that you return to-morrow to your functions.

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Extract from Silas Deane's Account-book—Account against Congress.

		Livres.	
Amount brought up,		186,518	2 10
Sundries, (advances made to several officers,)		20,000	
1779. To my expenses in Philadelphia, from August, 1778, to Nov. 1779, for myself, servant, and three horses, being 15 months, which I paid, part in hard money, part in paper, which, computed at 90 livres per week, though less than what it cost me, I am content with, 15 months is 65 weeks, at 90,		5,850	
November, 1780. To expenses of journey to Virginia, in continental currency, dollars,	2658½		
To do. paid board and lodging at Williamsburg, in Virginia,	18193⅓		
Do. paid in two journeys to Petersburg & Richmond,	1256⅓		
Do. paid at York, and paid for sundries whilst waiting for a passage,	4845½		
	26954		
Carried forward,		212,368	2 10

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	Liv.		
Brought forward,	212,368	2	10
Thirty for one, the medium rate of exchange at the time is 898½ dollars, or in livres,	4,492	10	
June. To paid for rum, sugar, tea, &c. &c. for passage,	625		
Passage for self, secretary and servant,	1,500		
The *maitre d'hotel* and servant on board the Roderique,	120	10	
July. Expenses at Rochefort,	296	19	
Do. at Rochelle,	96	15	
Hire of the voirture to Nantes,	96		
August. On the road to Nantes, for horses, &c.	214	11	
Expenses at Nantes,	353	4	
Posts to Paris and expenses on the road,	415		
Hire of the carriage from Nantes to Paris,	120		
To cash advanced Captain Hy. Johnson, April 1778, as per his receipt, dated Dec. 12, 1778,	204	4	
July. To my time, from June 4th, 1778, to July 1780, being two years and one month for myself, secretary and servant, the use of my horses, carriage, &c. in America, during which time I			
Carried forward,	220,902	15	10

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	Liv.		
Brought forward,	220,902	15	10
attended solely on Congress, and in returning to settle their accounts, for which an allowance of 10,000 livres per annum, will not be unreasonable - -	20,863	6	4
To my time, for self, secretary and expenses in settling the accounts of Congress, six months, which, considering it was not my duty to settle them, except my own private one, and that a large balance was my due, and the expense and loss of time which I have incurred, cannot be estimated at a lower allowance than	13,000		
To cash paid W. T. Franklin, towards family expenses, by an order on M. Grand, which is charged in my account with Congress, by M. Grand, September 26th, 1777, - - -	4,000		
To one year's wages of la Farque, from July 1777, to July 1778, after which, I consider his wages in the general estimate for time, &c. - - - - - -	1,440		
To wrong charge of April 9th, 1777, being the disbursements			
Carried forward,	260,206	2	2

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	Liv.		
Carried forward,	260,206	2	2
on sloop Dolphin, at Havre, by M. Eyries, who transacted the business, and at that time, to cover his having concurred in the equipping of armed vessels for Congress, drew under the signature of Harcourt, - -	9,706	16	5
To wrong charge, included in the general of 30th March, 1778, viz. moneys paid Mr. Williams, for which said Williams has accounted, being the bills drawn by said Williams on public account, accepted by me, as were most of his bills, - - -	2,973		
To wrong charge in Solier's account, to amount of - -	48,252		
N. B. The whole received by Silas Deane of Solier, on his private account and use, was 10,784 livres, the rest was received on account of Robert Morris, Esq. and is by Plearne, Penet and Co. charged to said Morris, in his private account with them, as may be seen by their account transmitted to said Morris,			
To cash charged by M. Grand,			
Carried forward,	321,137	18	7

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		Liv.		
Brought forward,		321,137	18	7
delivered to order of Franklin and Deane, paid La Farque, December 21st, 1777, (being for expenses at Passy,) - -		2,400		
To sundry bills paid by Dr. Franklin, after my leaving France.				
To cash paid Bousies' bill for wine, January and April, 1778, as per receipt September 18th, 1780, - - - - - -		294		
January 1781. To paid bill for painting coach wheels, November, 1777, - - - - - -		16		
		323,847	18	7
Deduct wrong charges in sundry entries, entered before in page fifty,	9,706 6 5			
	2,973 0 0			
	4,825 2 4			
		60,932	00	5
		262,915	18	2

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FROM THOMAS JEFFERSON TO JOHN JAY.

Paris, August 10, 1788.

Sir,

I have waited till the last moment of Mrs. Barclay's departure, to write you the occurrences since my letter of 3rd instant. We have received the Swedish account of an engagement between their fleet and the Russian on the Baltic, wherein they say they took one and burnt another Russian vessel, with the loss of one on their side, and that the victory remained with them. They say at the same time, that their fleet returned into port and the Russians kept the sea. We must therefore suspend our opinion, till we get the Russian version of this engagement. The Swedish manifesto was handed about to-day at Versailles by the Swedish Ambassador in manuscript. The King complains that Russia has been ever endeavoring to sow dissensions in his kingdom, in order to re-establish the ancient constitution, that he has long borne it through a love of peace, but finds it no longer bearable; that still however he will make peace on these conditions, 1st. that the Empress punishes her Minister for the note he gave into the Court of Stockholm; 2nd. that she restores the Crimea to the Turks; and 3rd. that she repays to him all the expenses of his armament. The Russian force in vessels of war on the Black sea five frigates and three ships of the line are shut up in port, and cannot come out till Oczakow shall be taken; this fleet is commanded by Paul Jones with the rank of Rear-Admiral. The Prince of Nassau commands the gallies and gun boats. It is now ascertained that the States General will assemble the next year, and probably in the month of May.

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Tippoo Saib's Ambassadors had their reception this day at Versailles with unusual pomp. The presence was so numerous that little could be caught of what they said to the King, and he answered to them. From what little I could hear nothing more passed than mutual assurances of good will. The name of the Mareschal de Richlieu is sufficiently remarkable in history to justify my mentioning his death which happened two days ago; he was aged 92 years.

I have the honor to be, &c.

TH: JEFFERSON.

FROM THOMAS JEFFERSON TO JOHN JAY.

Paris, August 11, 1788.

Sir,

In my letter of the last night written in the moment of Mrs. Barclay's departure, I had the honor of mentioning to you that it was now pretty certain, that the States General would be assembled in the next year, and probably in the month of May. This morning an *arrêt*, is published, announcing that their meeting is fixed at the first day of May next, of which I enclose you a copy by post, in hopes it will get to Bourdeaux in time for Mrs. Barclay. This *arrêt* ought to have a great effect towards tranquillizing the nation. There are still, however, two circumstances which must continue to perplex the administration. The first is the want of money occasioned not only by the difficulty of filling up the loan of the next year, but by the withholding the ordinary supplies of taxes, which is said to have taken place in some in-

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stances. This gives apprehension of a bankruptcy under some form or other, and has occasioned the stocks to fall in the most alarming manner. The second circumstance is that justice both civil and criminal continues suspended. The Parliament will not resume their functions, but with the whole body, and the greater part of the *baillages* decline acting. The present *arrêt* announces a perseverance in this plan.

I am informed from Algiers, of the 5th of June, that the plague is raging there with great violence, that one of our captives was dead of it, and another ill; so that we have there in all now only 15 or 16, that the captives are more exposed to its ravages than others; that the great redemptions by the Spaniards, Portuguese and Neapolitans, and the havoc made by the plague had now left not more than 400 slaves in Algiers, so that their redemption was not only become exorbitant, but almost inadmissible; that common sailors were held at 400 pounds sterling, and that our 15 or 16 could probably not be redeemed for less than from 25 to 30,000 dollars. An Algerine cruiser, having 28 captives of Genoa aboard, was lately chased ashore by two Neapolitan vessels, the crew and captives got safe ashore, and the latter of course recovered their freedom. The Algerine crew was well treated, and would be sent back by the French, but the Government of Algiers demand of France 60,000 sequins or 27,000 pounds sterling for the captives escaped, that is, nearly 1000 pounds each. The greater part of the regency were for an immediate declaration of war against France; but the Dey urged the heavy war the Turks were at present engaged in, that it would be better not to draw another power on them at present,

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that they would decline renewing the treaty of one hundred years, which expired two years ago, so as to be free to act hereafter; but for the present they ought to accept payment for the capture as a satisfaction. They accordingly declared to the French Consul that they would put him and all his countrymen into irons, unless the sixty thousand sequins were paid. The Consul told him his instructions were positively, that they should not be paid. In this situation stood matters between that pettifogging nest of robbers and this great kingdom, which will finish, probably, by crouching under them, and paying the sixty thousand sequins. From the personal characters of the present administration, I should have hoped, under any other situation than the present, they might have ventured to quit the beaten track of politics hitherto pursued, in which the honor of their nation has been calculated at nought, and to join in a league for keeping up a perpetual cruise against the pirates, which, though a slow operation, would be a sure one for destroying all their vessels and seamen, and turning the rest of them to agriculture. But a desire of not bringing upon them another difficulty, will *probably* induce the Ministers to do as their predecessors have done. The enclosed paper of this morning gives some particulars of the action between the Russians and Swedes, the manifesto of the Empress, and the declaration of the Court of Versailles as to the affair of Trincomali.

I have the honor to be, &c.

TH: JEFFERSON.

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FROM JOHN JAY TO THOMAS JEFFERSON.

Office for Foreign Affairs,
November 25, 1788.

Dear Sir,

My last to you, was dated the 23rd September last. It mentioned my having received your letters of 4th, 23rd and 30th May. I have since been favored with four others, viz. 29th July, and 3rd, 10th, and 11th August, with the papers mentioned to be enclosed. They have not been laid before Congress, although I transmitted them to the President for that purpose; for a sufficient number of members to form a house, have not since convened. The members present, have, nevertheless, read them. The occurrences they mention are interesting, and your attention in transmitting them, gives pleasure. The circumstance of Mr. Deane's letter-book and account-book, being offered to you for sale, is a singular one. I wish you had purchased them. On this subject, I cannot, indeed, give you any instructions or authority; but I will venture to advise you in express terms, to make the purchase. I have no doubt that Congress will be satisfied with it. To me, it appears expedient, and the same opinion prevails among the members of Congress, who have read your letter.

I enclose a copy of a letter of the 5th of August last, from Mr. Robert Montgomery, at Alicant. I find his letter was a copy, the original never came to my hands. The facts stated in this letter merit attention, and, as the business it alludes to is in your department, I take the earliest opportunity of making this communication. To me it appears highly probable, that every maritime na-

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tion in Europe is well content, that war should subsist between Barbary and the United States, and in my opinion, none of them (except perhaps Spain, for particular reasons) will really and sincerely promote any measures, tending to the establishment of peace between us. If this be so, it is important that as much secrecy as possible, should be observed in all our proceedings relative to that object. I wish the Porte could be sounded on this subject. Overtures for a treaty from us to that Court, made at *this period*, would probably be grateful, and might, eventually, terminate all our difficulties with Algiers, &c. especially, as the Emperor of Morocco will promote it.

Much remains to be done, and much to be attempted; but without a competent government and adequate funds, no national affairs can be well managed.

Mr. Nesbit will deliver this letter to you, and you will find enclosed with it, one directed to Mr. Carmichael, and there is in it a cypher for him. Be so obliging, therefore, as to keep it by you, and, if possible, out of the reach of the police, until you can have an opportunity of sending it to him, by some person of confidence.

Mr. Gouverneur Morris expects to sail in the same vessel with Mr. Nesbit, and will either go with, or soon follow him to Paris. As you are personally acquainted with this gentleman, it cannot be necessary for me to introduce him to you, or recommend him to your friendly attentions. It is in his power to give you minute information on many interesting subjects.

With sincere esteem and regard, &c.

JOHN JAY.

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FROM THOMAS JEFFERSON TO WILLIAM CARMICHAEL.

Paris, August 12, 1788.

Dear Sir,

Since my last to you, I have been honored with yours of the 18th and 29th of May, and 5th of June. My latest American intelligence is of the 24th of June, when nine certainly, and probably ten States, had accepted the new constitution, and there was no doubt of the eleventh, (North Carolina,) because there was no opposition there. In New York, two-thirds of the State were against it, and certainly if they had been called to the decision in any other stage of the business, they would have rejeoted it; but before they put it to the vote, they would certainly have heard that eleven States had joined in it, and they would find it safer to go with those eleven, than put themselves in opposition, with Rhode Island only. Though I am pleased with this successful issue of the new constitution, yet I am more so, to find that one of its principal defects (the want of a declaration of rights) will pretty certainly be remedied. I suppose this, because I see that both people and Conventions, in almost every State, have concurred in demanding it. Another defect, the perpetual re-eligibility of the same President, will probably not be cured during the life of General Washington. His merit has blinded our countrymen to the danger of making so important an officer re-eligible. I presume there will not be a vote against him in the United States. It is more doubtful who will be Vice President. The age of Dr. Franklin, and the doubt whether he would accept it, are the only circumstances that admit a question, but that he would be the

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man. After these two characters of first magnitude, there are so many which present themselves equally, on the second line, that we cannot see which of them will be singled out. John Adams, Hancock, Jay, Madison, Rutledge, will be all voted for. Congress has acceded to the prayers of Kentucky, to become an independent member of the Union. A committee was occupied in settling the plan of receiving them, and their Government is to commence on the 1st day of January next.

You are, I dare say, pleased, as I am, with the promotion of our countryman, Paul Jones. He commanded the right wing in the first engagement between the Russian and Turkish galleys; his absence from the second, proves his superiority over the Captain Pacha, as he did not choose to bring his ships into the shoals in which the Pacha ventured, and lost those entrusted to him. I consider this officer as the principal hope of our future efforts on the ocean. You will have heard of the action between the Swedes and Russians, on the Baltic; as yet we have only the Swedish version of it. I apprehend this war must catch from nation to nation, till it becomes general.

With respect to the internal affairs of this country, I hope they will be finally arranged and without having cost a drop of blood. Looking on as a by-stander, no otherwise interested than as entertaining a sincere love for the nation in general, and a wish to see their happiness promoted, keeping myself clear of the particular views and passions of individuals, I applaud extremely, the patriotic proceedings of the present Ministry. Provincial Assemblies established, the States General called, the right of taxing the nation without their consent

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abandoned, *corvées* abolished, torture abolished, the criminal code reformed, are facts which will do eternal honor to their administration in history. But were I their historian, I should not equally applaud their total abandonment of their foreign affairs. A bolder front in the beginning would have prevented the first loss, and consequently all the others. Holland, Prussia, Turkey and Sweden lost, without the acquisition of a single new ally, are painful reflections for the friends of France. They may indeed have in their places the two empires, and perhaps Denmark, in which case, physically speaking, they will stand on as good ground as before; but not on as good moral ground. Perhaps, seeing more of the internal working of the machine, they saw more than we do, the physical impossibility of having money to carry on a war. Their justification must depend on this, and their atonement in the internal good, they are doing to their country; this makes me completely their friend.

I am, with great respect, sir, &c.

TH: JEFFERSON.

FROM THOMAS JEFFERSON TO JOHN JAY.

Paris, August 26, 1788.

Sir,

I had the honor to write to you on the 3rd, 10th and 11th, instant, with a postscript of the 12th, all of which went by Mrs. Barclay. Since that date, we received an account of a third victory obtained by the Russians over the Turks on the Black Sea, in which the Prince of Nassau, with his gallies, destroyed two frigates, three

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smaller vessels and six gallies. The Turkish power on that sea is represented by their enemies, as now annihilated. There is reason to believe, however, that this is not literally true, and that, aided by the supplies furnished by the English, they are making extraordinary efforts to re-establish their marine. The Russian Minister here, has shewn the official report of Admiral Greigh, on the combat of July 17th, in which he claims the victory, and urges in proof of it, that he kept the field of battle. His report is said to have been written on it. As this paper, together with the report of the Swedish Admiral, is printed in the Leyden Gazette of the 15th instant, I enclose it to you. The Court of Denmark has declared, it will furnish to Russia the aid stipulated in their treaty; and it is not doubted they will go beyond this, and become principals in the war. The next probable moves are, that the King of Prussia will succor Sweden and Poland against Russia, by land, and a possible consequence is, that England may send a squadron into the Baltic, to restore the equilibrium in that sea. In my letter of the 11th, I observed to you, that this country would have two difficulties to struggle with till the meeting of their States General, and that one of these was, the want of money. This has, in fact, over-borne all their resources, and the day before yesterday they published an *arrêt*, suspending all reimbursements of capital, and reducing the payments of the principal mass of demands for interest, to twelve sous in the livre, the remaining eight sous to be paid with certificates. I enclose you a newspaper, with the *arrêt*. In this paper, you will see the exchange of yesterday; and I have inserted that of the day before, to shew you the fall.

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The consternation is as yet too great to let us judge of the issue. It will probably open the public mind to the necessity of a change in their constitution, and to the substituting the collected wisdom of the whole in place of a single will, by which they have been hitherto governed. It is a remarkable proof of the total incompetency of a single head to govern a nation well, when with a revenue of six hundred millions, they are led to a declared bankruptcy, and to stop the wheels of government, even in its most essential movements, for want of money.

I send you the present letter by a private conveyance, to a sea port, in hopes a conveyance may be found by some merchant vessel.

I have the honor to be, &c.

TH: JEFFERSON.

FROM THOMAS JEFFERSON TO JOHN JAY.

Paris, September 3, 1788.

Sir,

By Mrs. Barclay, I had the honor of sending you letters of the 3rd, 10th and 11th, of August; since which I wrote you of the 20th of the same month, by a casual conveyance, as is the present.

In my letter of the 20th, I informed you of the act of public bankruptcy which had taken place here. The effect of this would have been a forced loan of about one hundred and eighty millions of livres in the course of the present and ensuing year. But it did not yield a sufficient immediate relief. The treasury became literal-

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ly moneyless, and all purposes depending on this mover, came to a stand. The Archbishop was hereupon removed, with Monsieur Lambert, the Comptroller General, and M. Necker was called in as Director General of Finance. To soften the Archbishop's dismission, a Cardinal's hat is asked for him at Rome, and his nephew promised the succession to the Archbishopric of Sens. The public joy on this change of administration was very great indeed. The people of Paris were amusing themselves with trying and burning the Archbishop in effigy, and rejoicing on the appointment of M. Necker. The commanding officer of the city guards undertook to forbid this, and not being obeyed, he charged the mob with fixed bayonets, killed two or three, and wounded many. This stopped their rejoicing for that day, but, enraged at being thus obstructed in amusements wherein they had committed no disorder whatever, they collected in great numbers the next day, attacked the guards in various places, burnt ten or twelve guard houses, killed two or three guards, and had about six or eight of their own number killed. The city was hereupon put under martial law, and after a while the tumult subsided and peace was restored. The public stocks rose ten per cent. on the day of M. Necker's appointment; he was immediately offered considerable sums of money, and has been able so far to waive the benefit of the act of bankruptcy, as to pay, in cash, all demands except the *remboursements des capitaux*. For these, and for a sure supply of other wants, he will depend on the States General, and will hasten their meeting, as is thought. No other change has yet taken place in the administration. The Minister of War, however, must certainly follow his brother, and

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some think, and all wish, that Monsieur de Lamoignon, the *garde des sceaux*, may go out also. The administration of justice is still suspended. The whole kingdom seems tranquil at this moment.

Abroad, no event worth noticing has taken place since my last. The Court of Denmark has not declared it will do any thing more, than furnish the stipulated aid to Russia. The King of Prussia has, as yet, made no move which may decide whether he will engage in the war, nor has England sent any squadron into the Baltic. As the season for action is considerably passed over, it is become more doubtful whether any other power will enter the lists till the next campaign. This will give time for stopping the further progress of the war, if they really wish to stop it. Two camps, of twenty-five thousand men each, are forming in this country, on its northern limits. The Prince of Condé has the command of one, and the Duke de Broglio of the other.

I trouble you with the enclosed letter* from a Henry Watson, claiming prize moneys, as having served under Admiral Paul Jones, which I suppose should go to the Treasury or War Office. I have the honor to be, &c.

TH: JEFFERSON.

FROM THOMAS JEFFERSON TO JOHN JAY.

Paris, September, 6, 1788.

Sir,

I wrote you on the 3rd instant, and have this day received Mr. Remsen's favor of July 25th, written during

* Sent to the Board of Treasury 25th February, 1789.

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your absence at Poughkeepsie, and enclosing the ratification of the loan of a million of florins, for which Mr. Adams had contracted bonds at Amsterdam in March last. The expediency of that loan resulting from an estimate made by Mr. Adams and myself, and that estimate having been laid before Congress, their ratification of the loan induces a presumption, that they will appropriate the money to the objects of the estimate. I am in hopes therefore that orders are given by the Treasury Board to the Commissioners of the loans at Amsterdam, to apply these moneys accordingly, and especially to furnish, as soon as they shall have it, what may be necessary for the redemption of our captives at Algiers, which is a pressing call. I am not without anxiety however on this subject, because in a letter of July 22nd received this day from the Treasury Board, they say nothing on that subject, nor on the arrearages of the foreign officers. They enclose me the order of Congress of the 18th of July, for sending to the Treasury Board the books and papers of the office of foreign accounts. I shall accordingly put them into the hands of a person who goes from Paris to-morrow morning by the way of Havre to America, and shall endeavor to prevail on him to attend them from the place of his landing to New York, that the Board may receive them from the hand, which receives them from me.

The establishment of the Parliaments, and revocation of every thing which was done on the 8th of May, is expected to take place in three or four days.

I have the honor to be, &c.

TH: JEFFERSON.

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FROM THOMAS JEFFERSON TO JOHN JAY.

Paris, September 24, 1788.

Sir,

Understanding that the vessel is not yet sailed from Havre, which is to carry my letters of the 3rd and 5th instant, I am in hopes you will receive the present with them.

The Russian accounts of their victories on the Black Sea, must have been greatly exaggerated. According to these, the Captain Pacha's fleet was annihilated. Yet, themselves have lately brought him on the stage again, with fifteen ships of the line, in order to obtain another victory over him. I believe the truth to be, that he has suffered some checks, of what magnitude it is impossible to say, where one side alone is heard, and that he is still master of that sea. He has relieved Oczakow, which still holds out; Choczim, also, is still untaken, and the Emperor's situation is apprehended to be bad. He spun his army into a long cord to cover several hundred miles of frontier, which put it into the power of the Turks to attack with their whole force, wherever they pleased. Laudon, now called to head the Imperial army, is endeavoring to collect it. But, in the meantime, the campaign is drawing to a close, it has been worse than fruitless. The resistance of Russia to Sweden, has been successful in every point, by sea and land. This, with the interference of Denmark, and the discontent of the Swedish nation, at the breach of their constitution, by the King's undertaking an offensive war, without the consent of the senate, has obliged him to withdraw his attacks by land, and to express a willing-

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ness for peace. One third of his officers have refused to serve. England and Prussia have offered their mediation between Sweden and Russia, in such equivocal terms as to leave themselves at liberty to say it was an offer, or was not, just as it shall suit them. Denmark is asking the counter-offer of mediation from this Court. If England and Prussia make a peace effectually in the north, (which it is absolutely in their power to do) it will be a proof they do not intend to enter into the war. If they do not impose a peace, I should suspect they mean to engage themselves, as one can hardly suppose they would let the war go on in its present form, wherein Sweden must be crushed between Russia and Denmark.

The *Garde des Sceaux*, M. de Lamoignon, was dismissed the 14th instant, and M. de Barentin is appointed in his room. The Deputies of Brittany are released from the bastile, and M. d'Epremesnil and M. Sabatier recalled from their confinement. The parliament is not yet reinstated, but it is confidently said it will be this week. The stocks continue low, and the Treasury under a hard struggle to keep the government in motion. It is believed the meeting of the States General will be as early as January, perhaps December. I have received a duplicate of the ratification of the loan of 1788, by Congress, and a duplicate of a letter of July 22nd from the treasury board, on another subject, but none on that of the captives or foreign officers. I suppose some cause of delay must have intervened between the ratification of Congress, and the consequent orders of the treasury board.

I have the honor to be, &c.

TH: JEFFERSON.

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FROM THOMAS JEFFERSON TO THE COMMISSIONERS OF THE TREASURY.

Paris, September 6, 1788.

Gentlemen,

Your favor of July the 3rd, came to hand some days ago, and that of July the 22nd in the afternoon of yesterday. Knowing that a Mr. Vannet was to leave Paris this morning to go to Virginia, in a vessel bound from Havre to Potomac, I have engaged him to receive the papers which are the subject of those letters; to take care of them from thence to Havre, and on the voyage; and when he shall have arrived in Potomac, instead of going directly to Richmond as he intended, he will proceed with them himself to New York. I shall pay here all expenses to their delivery at the ship's side in America, freight included; unless, perhaps, he may find it necessary to put another covering over them, if he should not be able to get them into the cabin, in this case you will have to reimburse him for that. I engage to him, that you shall pay him their transportation from the ship's side to New York, and his own reasonable expenses from the place of his landing to New York, and back to the place of landing. As he takes that journey for this object only, it would be reasonable, that you give him some gratuity for his time and trouble, and I suppose it would be accepted by him; but I have made no agreement for this. The papers are contained in a large box and a trunk. They were sent here by Mr. Ast, during my absence in Holland. When they arrived at the gates of Paris, the officers of the customs opened the trunk, to see whether it contained dutiable articles;

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but finding only books and papers, they concluded the contents of the box to be of the same nature, and did not open that; you receive it therefore as it came from the hands of Mr. Ast. A small trunk, which came as a third package from Mr. Ast, and which has never been opened, I have put into the great trunk, without displacing, or ever having touched a single paper, except as far as was necessary to make room for that. I shall have the whole corded and plumbed by the custom house here, not only to prevent their being opened at the custom house on the road, and at the port of exportation, but to prove to you, whether they shall have been opened by any body else; after going out of my hands. If the stamp leads are entire, and the cords uncut, when you receive them, you will be sure they have not been opened; they will be wrapped in oil cloth here, to guard them against the damps of the sea, and as I mentioned before, Mr. Vannet will put them under another covering, if he finds it necessary, at Havre.

At the same time with your last letter, I received from the office of foreign affairs, the ratification of Congress of the loan of 1788, for another million of guilders. As the necessity of this loan resulted from the estimate made by Mr. Adams and myself, which estimate was laid before Congress, I suppose their ratification of the loan implies that of the estimate. One article of this was for the redemption of our captives at Algiers. Though your letter says nothing on this subject, I am in hopes you have sent orders to the Commissioners of the loans at Amsterdam, to furnish as soon as they shall have it, what may be necessary for this pressing call. So also for the foreign officers. If the ratification of the loan

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has been made by Congress, with a view to fulfil the objects of the estimate, a general order from you to the Commissioners of the loans at Amsterdam, to pay the moneys from time to time, according to that estimate, or to such other as you shall furnish them with, might save the trouble of particular orders on every single occasion, and the disappointments arising from the delay, or miscarriage of such orders; but it is for you to decide on this.

I have the honor to be, &c.

TH: JEFFERSON.

FROM THOMAS JEFFERSON TO JOHN JAY.

Paris, November 14, 1788.

Sir,

In my letter of December 21st, 1787, I had the honor of acknowledging the receipt of your two favors of July 27th, 1787, which had come to my hands December 19th, and brought with them my full powers for treating on the subject of the Consular Convention. Being then much engaged in getting forward the *arrêt* which came out the 29th of December, and willing to have some interval between that act, and the solicitation of a reconsideration of our Consular Convention, I had declined mentioning it for some time, and was just about to bring it on the carpet, when it became necessary for me to go to Amsterdam. Immediately after my return, which was about the last of April, I introduced the subject to the Count de Montmorin, and have followed it unremittingly from that time. The office of Marine, as well as that of Foreign Affairs, being to be consulted in

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all the stages of the negotiation, has protracted its conclusion till this time. It is, at length, signed this day, and I have now the honor to enclose the original for the ratification of Congress. The principal changes effected are the following:

The clauses of the Convention of 1784, clothing Consuls with the privileges of the law of nations, are struck out, and they are expressly subjected, in their persons and property, to the laws of the land.

That giving the right of sanctuary to their houses, is reduced to a protection of their chancery room and its papers.

Their coercive powers over passengers are taken away; and over those whom they might have termed deserters of their nation, are restrained to deserted seamen only.

The clause allowing them to arrest and send back vessels, is struck out, and instead of it, they are allowed to exercise a police over the ships of their nation generally.

So is that which declared the indelibility of the character of subject, and the explanation and intention of the 11th article of the treaty of amity.

The innovations in the laws of evidence are done away.

And the Convention is limited to twelve years duration.

Convinced that the fewer examples the better, of either persons or causes inamenable to the laws of the land, I could have wished still more had been done; but more could not be done with good humor. The extensions of authority, given by the Convention of 1784, were so homogeneous with the spirit of this Government, that they were prized here. Monsieur de Rayneval has

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had the principal charge of arranging this instrument with me; and, in justice to him, I must say, I could not have desired more reasonable and friendly dispositions, than he demonstrated through the whole of it.

I enclose herewith the several schemes successively proposed between us, together with copies of the written observations given in with them, and which served as texts of discussion in our personal conferences. They may serve as a commentary on any passage which may need it, either now or hereafter; and as a history how any particular passage comes to stand as it does. No. 1, is the Convention of 1784; No. 2, is my first scheme; No. 3, theirs, in answer to it; No. 4, my next, which brought us so near together, that, in a conference on that, we arranged it in the form in which it has been signed. I add No. 5, the copy of a translation which I have put into their hands, with a request that if they find any passages, in which the sense of the original is not faithfully rendered, they will point them out to me; otherwise, we may consider it as having their approbation. This, and the Convention of 1784, (marked No. 1,) are placed side by side, so as to present to the eye, with less trouble, the changes made; and I enclose a number of printed copies of them for the use of the members who will have to decide on the ratification. It is desirable that the ratification should be sent here for exchange as soon as possible.

With respect to the consular appointments, it is a duty on me to add some observations which my situation here has enabled me to make. I think it was in the spring of 1784, that Congress, (harrassed by multiplied applications from foreigners, of whom nothing was known but

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on their own information, or on that of others as unknown as themselves,) came to a resolution that the interest of America would not permit the naming any person not a citizen, to the office of Consul, Vice Consul, agent or commissary; this was intended as a general answer to that swarm of foreign pretenders. It appears to me that it will be best still to preserve a part of this regulation. *Native* citizens, on several valuable accounts, are preferable to aliens, and to citizens alien born. They possess our language, know our laws, customs and commerce, have generally acquaintance in the United States, give better satisfaction, and are more to be relied on in the point of fidelity. Their disadvantages are an imperfect acquaintance with the language of this country, and an ignorance of the organization of its judicial and executive powers, and consequent awkwardness whenever application to either of these is necessary, as it frequently is. But it happens that in some of the principal ports of France, there is not a single American, (as in Marseilles, L'Orient and Havre,) in others but one, (as in Nantes and Rouen,) and in Bourdeaux only two or three. Fortunately for the present moment, most of those are worthy of appointments. But we should look forward to future times when there may happen to be no native citizens in a port, but such as being bankrupt, have taken asylum in France from their creditors, or young ephemeral adventurers in commerce without substance or conduct, or other descriptions which might disgrace the Consular office, without protecting our commerce. To avail ourselves of our good *native citizens*, when we have one in a port, and when there are none, to have yet some person to attend to our affairs, it appears to me adviseable

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to declare by a standing law, that no person but a native citizen shall be capable of the office of *Consul*; and that the Consuls, presence in his port should suspend for the time the functions of the Vice Consul. This is the rule of 1784, restrained to the office of *Consul* and to *native citizens*. The establishing this by a standing law will guard against the effect of particular applications, and will shut the door against such applications as will otherwise be numerous. This done, the office of Vice Consul may be given to the best subject in the port, whether citizen or alien, and that of Consul be kept open for any native citizen of superior qualifications, who might come afterwards to establish themselves in the port. The functions of the Vice Consul would become dormant during the presence of his principal, come into activity again on his departure, and thus spare us and them the painful operation of revoking and reviving their commissions perpetually. Add to this, that during the presence of the Consul, the Vice Consul would not be merely useless, but would be a valuable counsellor to his principal, new in office, the language, laws and customs of the country. Every Consul and Vice Consul should be restrained in his jurisdiction to the post for which he is named, and the territory nearer to that than to any other Consular or Vice Consular port, and no idea permitted to arise that the grade of Consul gives a right to any authority whatever over a Vice Consul, or draws on any dependence.

To these general facts and observations, I will add some local, and of the present moment.

Marseilles. There is no native. Stephen Cathalan, the father, has had the agency, by appointment either of

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Doctor Franklin or Mr. Barclay. But his son, of the same name, has solely done the duties, and is best capable of them. He speaks our language perfectly, is familiar with our customs, as, having lived in a counting house in London, is sensible, active and solid in his circumstances. Both the port and person merit a Vice Consulate.

Bourdeaux. Mr. John Bondfield, a native citizen, has hitherto acted by appointment from Doctor Franklin; he is well known in America, is of a higher degree of information than is usually to be found, and unexceptionable in every point of view. His circumstances, indeed, have, at one time, been perplexed; but I suppose them to be otherwise now. He is likely to remain long at Bourdeaux, and is so much respected, that we cannot expect a better subject there. I think him proper for a *Consular* commission.

Nantes. We have but one native citizen there, Mr. Burrell Carnes, who has acted by appointment from Mr. Barclay, and acted well, as far as I am able to judge. He is young, and beginning business only, would be proper for the Vice Consulate, at present, and for the Consulate, when time shall have added experience and firm establishment to his present qualifications.

L'Orient. No citizen at all. Mr. Loreilhe, a Frenchman, and very worthy man, acted for some time; but failing in his affairs, he removed to the neighborhood of Bourdeaux. After that, I wrote occasionally to Wilt and Delmestre, but they, too, are become bankrupt. There is lately gone there from Paris, a Monsieur Vernes, an uncommonly sensible, well informed man, speaking our language well, connected in commerce with the

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wealthy house of Berard and Co. and particularly engaged in the American commerce. I suppose him proper for a Vice Consulate.

Havre. There is no native. M. André Limozin, has acted by appointment of Doctor Franklin. He is a very solid merchant, speaks and writes our language, is sensible, experienced and very zealous. His services hitherto have been so assiduous as to entitle him to the Vice Consulate, in preference to any other person in that port.

Rouen. There is but one citizen there, Mr. Thomas Appleton, son of Nathaniel Appleton, of Boston. He is young, and just beginning business. He is sensible, active, and fit for the Vice Consulate, with a view to the Consulate at some future day, as in the case of Mr. Carnes.

The preceding are the only ports worthy of either Consular or Vice Consular establishment. To multiply would be to degrade them, and excite jealousy in the government. At the following I should suppose Agents sufficient.

Dunkirk. Francis Coffin, an American, and good man, appointed by Doctor Franklin.

Dieppe. M. Cavalier, a Frenchman, appointed by Mr. Barclay.

Bayonne. Louis Alexander has meddled for us of his own accord; I know neither good nor harm of him. He writes a broken English, but I do not know if he speaks the language. Though a free port, there had entered there but one or two ships from the peace to the Autumn of 1787. I have no account since.

Cette. Nicholas Guirrard, named by Doctor Frank-

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lin. He is of the mercantile house of Guirrard and Portas. I saw one of the partners while at Cette, who spoke English well, is familiar with English usages in commerce, is sensible, and has the appearance of being a good man. But I do not recollect whether the person I describe, was Guirrard or Portas. The other partner does not speak English. Mr Barclay can probably fix this uncertainty, as well as give fuller information on all the other persons named. This one, whichever he be, is fittest for the agency.

Besides these, I would take the liberty of recommending the appointment of agents at Toulon, Rochefort, Brest and Cherburg, merely for the purposes of intelligence. They are King's ports, and it is in them that the symptoms of a maritime war will always first show themselves. Such a correspondence, therefore, will be always proper for your Minister here, and, in general, the Consuls and Vice Consuls should be instructed to correspond with him for his information. It does not appear to me proper that he should have any power of naming or removing them. It might lead to abuse.

It is now proper I should give some account of the state of our dispute with Schweighauser & Dobrée. In the conversation I had with Dobrée, at Nantes, he appeared to think so rationally on this subject, that I thought there would be no difficulty in accommodating it with him, and I wished rather to settle it by accommodation than to apply to the Minister. I afterwards had it intimated to him, through the medium of Mr. Carnes, that I had it in idea to propose a reference to arbitrators. He expressed a cheerful concurrence in it. I thereupon made the proposition to him formally,

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by letter, mentioning particularly that we would choose our arbitrators of some neutral nation, and of preference from among the Dutch refugees here. I was surprized to receive an answer from him, wherein, after expressing his own readiness to accede to this proposition, he added, that on consulting Mr. Puchelburg he had declined it; nevertheless, he wished a fuller explanation from me, as to the subjects to be submitted to arbitration. I gave him that explanation, and he answered finally, that Mr. Puchelberg refused all accommodation, and insisted that the matter should be decided by the tribunals of the country. Accommodation being at an end, I wrote to Monsieur de Montmorin, and insisted on the usage of nations, which does not permit the effects of one sovereign to be seized in the territories of another, and subjected to judiciary decision there. I am promised that the stores shall be delivered; but the necessary formalities will occasion some delay. The King being authorized to call all causes before himself, ours will be evoked from the tribunals where it is, and will be ended by an order to deliver up the stores arrested, leaving it to the justice of Congress to do afterwards what is right as to the demand of Schweighauser & Dobrée. I wish I could receive instructions what to do with the stores when delivered. The arms had certainly better be sent to America, as they are good, and yet will sell here for little or nothing. The gun stocks and old iron had better be sold here. But what should be done with the anchors? Being thoroughly persuaded that Congress wish that substantial justice should be done to Schweighauser & Dobrée, I shall, after the stores are secured, repeat my proposition of arbitration to them. If they then

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refuse it, I shall return all the papers to America, and consider my powers for settling this matter as at an end.

I have received no answer yet from Denmark, on the subject of the prizes; nor do I know whether to ascribe this silence to an intention to evade the demand, or to the multitude of affairs they have had on their hands lately. Patience seems to be prudence in this case; to indispose them would do no good, and might do harm. I shall write again soon, if no answer be received in the meantime.

I have the honor to be, &c.

TH: JEFFERSON.

Translation.

FIRST FORM PROPOSED ON THE PART OF THE UNITED STATES.

Convention between his Most Christian Majesty and the United States of America, for the purpose of determining and fixing the functions and prerogatives of their respective Consuls, Vice Consuls, Agents, and Commissaries.

His Majesty, the Most Christian King, and United States of America, having, by the 29th article of the treaty of amity and commerce concluded between them, mutually granted the liberty of having, in their respective States, and ports, Consuls, Vice Consuls, Agents, and Commissaries, and being willing in consequence thereof, to determine and fix in a reciprocal and permanent manner, the functions and prerogatives of the said Consuls, Vice Consuls, Agents, and Commissaries; his Most Christian

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Majesty has nominated the Sieur ——— and the United States of America has nominated ———, who, after having communicated to each other their respective full powers, agreed upon what follows:

ARTICLE I. The Consuls and Vice Consuls *agents and commissaries*, nominated by his most Christian Majesty and the United States or *by their authority*, shall be bound to present their commissions according to the form which shall be established *by the King within his dominions and by the Congress within the United States.* There shall be delivered to them without any charge, the exequatur necessary for the exercise of their functions, and on the exhibition which they shall make of the said exequatur, the Governors, Commanders, Judges, public bodies, tribunals and other officers, having authority in the ports and places of their consulate, shall cause them to enjoy as soon as possible and without difficulty the pre-eminences, authority and privileges, reciprocally granted without exacting from the said Consuls, Vice Consuls, agents and commissaries any duty, under any pretence whatever.

ARTICLE IV. The Consuls, and Vice Consuls shall be exempt from all personal service and public offices, from soldiers billets, militia watch, guard, guardianship and trusteeship, as well as from all duties, taxes, impositions and charges whatever, except on the estate *real and personal*, of which they may be the proprietors or possessors, which shall be subject to the taxes imposed on the estates of all other individuals, *and in all other instances, they shall be subject to the laws of the land, with respect to their persons, their property and possessions, in the same manner as other foreigners of their nation are.*

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They shall place over the outward door of their house the arms of their sovereign, without however the mark of distinction giving to the said house the right of asylum, *for any person or property whatever.*

ARTICLE VI. The Consuls and Vice Consuls respectively may establish a chancery, where shall be deposited the consular acts and deliberations, all effects left by deceased persons, or saved from shipwreck, as well as testaments, obligations, contracts, and in general all the acts and proceedings done between persons of their nation.

They may in consequence appoint for the business of the said chancery capable persons, receive them, administer an oath to them, give to them the keeping of the seal and the right of sealing commissions, judgments and other acts of the Consulate, as well as there to discharge the functions of notaries and registers in cases which shall concern the subjects of their own nation.

ARTICLE VII. The Consuls and Vice Consuls respectively shall have the exclusive right of receiving in their chancery, or on board of vessels, the declarations and all the other acts, which the captains, masters, seamen and passengers and merchants of their nation would make there, even their testaments and other dispositions of last will; and the copies of the said acts duly authenticated by the said Consuls or Vice Consuls, under the seal of their consulate, shall receive faith in law *equally as their originals*, would in all the tribunals of the *dominions of the most Christian King*, and of the United States, and *in all cases which only concern persons of their nation.*

They shall also have, and exclusively, *in case of the absence of the testamentary executor, guardian or lawful*

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representative, the right to inventory, liquidate and proceed to the sale of the personal estate left by subjects or citizens of their nation, who shall die within the extent of their consulate; they shall proceed therein, with the assistance of two merchants of their said nation, or *of any other* of their choice, and shall cause to be deposited in their chancery, the effects and papers of their said estates, and no officer, military, judiciary, or of the police of the country, shall disturb them, or interfere therein in any manner whatsoever; but the said Consul shall not deliver up the said effects, nor the proceeds thereof, to the lawful representatives, or to their order, till they shall have caused to be paid all debts, which the deceased shall have contracted in the country; *for which purpose, the creditor shall have a right to attach the said effects in their hands, as they might in those of any other individual whatever, and proceed to obtain sale of them, till payment of what shall be lawfully due to them. When the debts shall not have been contracted by judgment, deed or note, the signature whereof shall be known*, payment shall not be ordered, but on the creditors giving sufficient surety, resident in the country, to refund the sums he shall have unduly received, principal, interests and costs. Which surety shall stand, nevertheless, duly discharged, after the term of one year, in time of peace, and of two, in time of war, if the discharge cannot be formed before the end of this term, against the representatives, who shall present themselves. *And in order that the representatives may not be unjustly kept out of the effects of the deceased, the Consuls and Vice Consuls shall notify his death in some one of the gazettes, published within their Consulate. And, that*

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they shall retain the said effects in their hands —— months, to answer all just demands which shall be presented; and they shall be bound after this delay, to deliver to the persons succeeding thereto, what shall be more than sufficient for the demands which shall have been formed.

ARTICLE VIII. The respective Consuls and Vice Consuls shall receive the declarations, protests, and other Consular acts, from all captains and masters of their respective nations, on account of average losses sustained at sea by leakage or throwing merchandize overboard, and these captains and masters shall leave in the chancery of the said Consuls and Vice Consuls, the protests and other Consular acts which they may have made in other ports, on account of the accidents which may have happened to them on their voyage. If a subject of his most Christian Majesty and the United States are interested in the said cargo, the average shall be fixed by the tribunals of the country, and not by the Consuls or Vice Consuls, but when only the subjects or citizens of their own nation shall be interested, the respective Consuls and Vice Consuls shall appoint skilful persons to settle the damage and average.

ARTICLE IX. In cases where by tempests or other accidents, French ships or vessels shall be stranded on the coast of the United States, and ships or vessels of the United States shall be stranded on the coast of the dominions of the Most Christian King, the Consul or Vice Consul nearest to the place of shipwreck, shall do whatever he may judge proper, as well as for the purpose of saving the said ship or vessel, its cargo and appurtenances, as for the storing and security of the effects and

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merchandize saved. He may take an inventory of them, without the intermeddling of any officers of the military, of the customs, of justice, or of the police of the country, otherwise than to give to the Consuls, Vice Consuls, captain and crew of the vessel shipwrecked, or stranded, all the succor and favor which they shall demand of them, either for expedition in securing the cargo, or preserving the effects saved, as well as to prevent all disturbances.

And in order to prevent all kind of dispute and discussion in the said cases of shipwreck, it is agreed when there shall be no Consul or Vice Consul to attend to the saving of the wreck, or that the residence of the said Consul or Vice Consul (he not being at the place of the wreck) shall be more distant from the said place than that of the competent judge of the country, the latter shall immediately proceed therein, with all the despatch, certainty and precaution prescribed by the respective laws, but the said territorial judge shall retire on the arrival of the Consul or Vice Consul, and shall deliver over to him the report of his proceedings, the expenses of which, the Consul or Vice Consul shall cause to be reimbursed to him.

The merchandize and effects saved shall be deposited in the custom house, or other nearest place of safety, with the inventory of them, which shall be made by the Consul or Vice Consul, or, in their absence, by the judge, who shall have cognizance thereof, and the said merchandizes and effects shall be afterwards delivered, after levying therefrom the costs, and without form of process, to the proprietors, who, being furnished with a replevy from the nearest Consul or Vice Consul, shall

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reclaim them by themselves or by their attorneys, either for the purpose of re-exporting the merchandizes, and, in that case, they shall pay no kind of duties of exportation, or for the purpose of selling them in the country, if they are not prohibited; and, in this latter case, the said merchandizes being averaged, there shall be granted them an abatement of the entrance duties, proportioned to the damage sustained, which shall be ascertained by the verbal process formed at the time of shipwreck, or of the vessels running ashore.

Article x. The Consuls and Vice Consuls, may cause to be arrested in the country, the sailors deserters of their respective nations, and send them back and transport them out of the country.

The registers of the vessels or rolls of the crew, shall be received in testimony, to prove that the persons arrested as deserting sailors, belong to their respective nations; but shall not exclude the other legal proofs relative to the same facts.

As soon as there shall be sufficient proof that they are deserting sailors of such nation, no tribunals, Judges or officers, whatsoever, shall, in any manner whatever, take cognizance of the complaint which the said sailors and deserters may make, but they shall, on the contrary, be delivered up on any order signed by the Consul or Vice Consul, without its being in any one's power, in any manner to detain, engage or withdraw them. And to attain to the complete execution of the arrangements contained in this article, all persons having authority shall be bound to assist the said Consuls or Vice Consuls; and on a simple requisition, signed by them, they shall cause to be detained and guarded in prison, at the disposal

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and expense of the said Consuls and Vice Consuls, the said sailors and deserters, until they shall have an opportunity to send them out of the country. *But if they be not sent out of the country in one month from the day of their arrest, they shall be set at liberty, and shall be no more arrested for the same cause.*

ARTICLE XI. In cases where the respective subjects or *citizens* shall have committed any crime or *breach of the peace*, they shall be amenable to the Judges of the country.

ARTICLE XII. All differences and suits between the subjects of the most Christian King in the United States, or between the citizens of the United States *in the dominions of the most Christian King*, shall be determined by the respective Consuls, *if one of the parties demands it*, either by a reference to arbitration or by a summary judgment, and without costs.

No officer, civil or military, shall interfere or take any part whatever in the affair, appeal shall be carried before the tribunals of France or the United States, to whom it may appertain to take cognizance thereof.

The respective agents shall be bound to render to their respective merchants, navigators and vessels, all possible service, and to inform the nearest Consul or Vice Consul of the wants of the said merchants, navigators and vessels, without the said agents otherwise participating in the immunities, rights and privileges, attributed to the Consuls and Vice Consuls, and without power to exact any duty or emolument whatever, under any pretence whatever.

ARTICLE XIII. The general utility of commerce hav-

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ing caused to be established *within the dominions of the most Christian King*, particular tribunals and forms for expediting the decision of commercial affairs, the merchants of the United States shall enjoy the benefit of those establishments; and the Congress of the United States *will provide in the manner the most conformable to its laws*, equivalent advantages in favor of the French merchants, for the prompt despatch and decision of affairs of the same nature.

ARTICLE XIV. The subjects of the most Christian King and the *citizens* of the United States, who shall prove, by legal evidence, that they are of the said nations respectively, shall, in consequence, enjoy an exemption from all personal service in the place of their settlement.

ARTICLE XV. If any other nation acquires, by virtue of any Convention whatever, a treatment more favorable with respect to the consular pre-eminences, powers, authority and privileges, the Consuls and Vice Consuls of the most Christian King or the United States, reciprocally, shall participate therein, agreeably to the terms stipulated by the 2nd, 3rd and 4th articles of the treaty of amity and commerce, concluded between the most Christian King and the United States.

ARTICLE XVI. The present Convention shall be in full force during the term of twelve years, to be counted from the day of the exchange of ratifications, which shall be given in proper form, and exchanged on both sides within the space of one year, or sooner if possible.

In faith whereof, &c.

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NOTES.

It is proposed to leave out the words agents and commissaries. In the treaty the right of establishing agents or commissaries or Consuls is reserved. But since the late denomination is chosen it appears useless to repeat the others.

It appears proper to announce precisely that these public officers shall be under the title of Consuls and Vice Consuls, in order to prevent any persons being respectively sent hereafter under different titles from whence might result difficulties in point of form. It is proposed to suppress the denomination of agents and commissaries, wherever they are announced in the following articles.

Although Mr. Jefferson appears desirous that all the respective Consuls and Vice Consuls should be named by the Sovereign, inconvenience appears to us on this head. All those who are actually established in America, have the King's commission. It is also very advantageous that this should be the case to permit the too great multiplication of American Vice Consuls in France. Therefore the words *or by authority* are suppressed, and the 2nd article of the old project totally. But it appears necessary to reserve to Consuls and Vice Con-

FIRST COUNTER-PROPOSITION ON THE PART OF FRANCE.

Translation.

Convention between his most Christian Majesty and the United States of America for the purpose of determining and fixing the functions and prerogatives of their respective Consuls and Vice Consuls.

His Majesty the most Christian King and the United States of America having, by the 29th article of the treaty of amity and commerce concluded between them, mutually granted the liberty of having in their respective States and ports, Consuls and Vice Consuls, agents and commissaries, and being willing in consequence thereof to define and establish in a reciprocal and permanent manner, the functions and prerogatives of Consuls and Vice Consuls which they have judged it convenient to establish, of preference his most Christian Majesty has nominated the Sieur ———, and the United States have nominated ———, who after having communicated to each other their respective full powers have agreed on what follows.

ARTICLE I. The Consuls and Vice Consuls named by the most Christian King and the United States shall be bound to present their commissions according to the form which shall be established respectively by the most Christian King within his dominions, and by the Congress within the United States, there shall be delivered to them without any charges, the exequatur necessary for the exercise of their functions, and on exhibiting the said exequatur, the governors, commanders, heads of justice, bodies corporate, tribunals and other

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suls the right of naming agents in the ports of their districts to correspond with them, without the said agents having any public character or exequatur.

It is proposed to make some slight alterations in this article. It appears necessary to grant Consuls some immunities, but these are not dangerous, when the cases of crimes, or debts are excepted. As to the papers of the chancery, it is impossible for any nation to refuse the fullest immunity: submission to all taxes has been added with respect to those who shall exercise commerce. It is remarked on the subject of seizure for debts that the civil laws of France extend greater personal security than the civil laws of England or America, bodily restraint not generally taking place, but for commercial debts, and moreover no person can be arrested in France for debt, before being heard, or at least cited judicially, with sufficient delay for his defence. It seems proper that Congress should take some measures to protect Consuls and Vice Consuls from the inconveniences which may happen to foreigners from the forms established in the United States. For this purpose they ought to be considered as being always under the immediate protection of the legislature of the country, and not in want of any particular security.

It is proposed to let the 3rd article subsist by suppressing the addition made to the 12th article.

officers having authority in the ports and places of their consulate, shall cause them to enjoy immediately and without difficulty, the pre-eminences, authority and privileges, reciprocally granted, without exacting from the said Consuls and Vice Consuls any duty under any pretence whatever.

Article II. The Consuls and Vice Consuls and all persons attached to the Consular functions shall respectively enjoy personal immunity, excepting in cases of crimes or debts. They shall also enjoy a full and entire immunity for their chancery and the papers which shall be therein contained. They shall be exempt from all personal service, from soldiers billets, militia, watch, guards, guardianship, trusteeship, as well as from all duties, taxes, impositions and charges whatsoever, except on the real and personal estate of which they may be the proprietors or possessors, which shall be subject to the taxes imposed on the estates of all other individuals; and in all other instances they shall be subject to the laws of the land as the natives are. Those of the said Consuls and Vice Consuls who shall exercise commerce shall be respectively subject to all taxes, charges and impositions, established on other merchants.

They shall place over the outward door of their house, the arms of their Sovereign; but this mark of indication shall not give to the said house any privilege of asylum for any person or property whatsoever.

Article III. The respective Consuls and Vice Consuls, may establish agents in the different ports and places of their departments, where necessity shall require. These agents may be chosen among the merchants, either national or foreign, and furnished

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with a commission from one of the said Consuls. They shall confine themselves respectively, to the sending to their respective merchants, navigators and vessels, all possible service, and to inform the nearest Consul of the want of the said merchants, navigators and vessels, without the said agents otherwise participating in the immunities, rights and privileges, attributed to Consuls and, Vice Consuls, and without power under any pretext whatever, to exact from the said merchants any duty or emolument whatsoever.

A few words only have been altered, and the order of some phrases been changed, to explain this article, and remove Mr. Jefferson's doubts.

ARTICLE IV. The Consuls and Vice Consuls respectively, may establish a chancery, where shall be deposited the consular determinations, acts and proceedings, as also testaments, obligations, contracts, and other acts done by or between persons of their nation, and effects left by death or saved from shipwreck.

They may, in consequence, appoint for the business of the said chancery, capable persons, receive them, administer an oath to them, give to them the keeping of the seal, and the rights of sealing commissions, judgments, and other acts of the consulate, as well as there to discharge the functions of notaries and registers of the consulate.

It is proposed to suppress the addition of the words, *in all cases which only concern persons of the same nation.* This being advantageous alike to both parties. An act done in the consulate may also answer the purpose of the inhabitants of the country to validate a fact, and serve as a proof, if not obligatory.

ARTICLE V. The Consuls and Vice Consuls respectively, shall have the exclusive right of receiving in their chancery, or on board the vessels, the declarations and all the other acts which the captains, masters, crews, passengers and merchants, of their nation, may choose to make there, even their testaments and other disposals by last will. And the copies of the said acts, duly authenticated by the said Consuls or Vice Consuls under the seal of their consulate, shall receive faith in law, equally as their originals would, in all the tribunals of the

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dominions of the most Christian King and the United States.

In case of the absence of the testamentary executor, guardian or lawful representative, they shall also have, exclusively, the right to inventory, liquidate, and proceed to the sale of the personal estate left by subjects who shall die within the extent of their consulate; they shall proceed therein with the assistance of two merchants of their said nation, or for want of them, of any other at their choice, and shall cause to be deposited in their chancery, the effects and papers of the said estates, and no officer, military, judiciary, or of the police of the country, shall disturb them, or interfere therein in any manner whatsoever; but the said Consuls and Vice Consuls shall not deliver up the said effects, nor the proceeds thereof, to the lawful representatives, nor to their order, till they shall have caused to be paid, all debts which the deceased shall have contracted in the country; for which purpose, the creditor shall have a right to attach the said effects in their hands, as they might in those of any other individual whatever, and proceed to obtain sale of them, till payment of what shall be lawfully due to them; *when the debts shall not have been* contracted by judgment, deed, or note, the signature whereof shall be known, payment shall not be ordered but on the creditors giving sufficient surety resident in the country, to refund the sums he shall have unduly received, principal, interest and cost; which surety, nevertheless, shall stand duly discharged after a year, in time of peace, and two years, in time of war, if the demand in discharge cannot be formed before these delays against the heirs, which shall present themselves. And in order that the representative may not

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unjustly be kept out of the effects of the deceased, the Consuls and Vice Consuls shall notify his death in some one of the gazettes published within their consulate, and that they shall retain the said effects, in their hands, four months, to answer all just demands which shall be presented; and they shall be bound, after this delay, to deliver to the persons succeeding thereto, what shall be more than sufficient for the demands which shall have been formed.

ARTICLE VI. The Consuls and Vice Consuls respectively, shall receive the declarations, protests and reports, of all captains and masters of their respective nations, on account of average losses sustained at sea; and these captains and masters shall lodge in the chancery of the said Consuls and Vice Consuls, the acts which they may have made in other ports on account of the accidents which may have happened to them on their voyage. If a subject of the most Christian King, and a citizen of the United States, or a foreigner, are interested in the said cargo, the average shall be settled by the tribunals of the country, and not by the Consuls or Vice Consuls, but when only the subject or citizens of their own nation shall be interested, the respective Consuls or Vice Consuls shall appoint skilful persons to regulate the damages and averages.

ARTICLE VII. In cases where by tempests or other accidents, French ships or vessels shall be stranded on the coasts of the United States, and ships or vessels of the United States shall be stranded on the coasts of the dominions of the most Christian King, the Consul or Vice Consul nearest to the place of shipwreck shall do whatever he may judge proper, as well for the purpose of saving the said ship or vessel,

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its cargo and appurtenances, as for the storing and the security of the effects and merchandize saved. He may take an inventory of them, without the intermeddling of any officers of the military, of the customs, of justice, of the police of the country, otherwise than to give to the Consuls, Vice Consuls, Captains and crew of the vessels shipwrecked or stranded, all the succor and favor which they shall ask of them, either for the expedition and security of the saving and of the effects saved, as to prevent all disturbance.

And in order to prevent any kind of dispute and discussion in the said cases of shipwreck, it has been agreed that where no Consul or Vice Consul shall be found to attend [to the salvage, or that the residence of the said Consul or Vice Consul (he not being at the place of shipwreck) shall be further distant from the said place than that of the competent territorial judge, the latter shall immediately then proceed therein with all the celerity, safety, and precaution, prescribed by the respective laws: but the said territorial judge shall retire on the arrival of the Consul or Vice Consul, and shall deliver over to him the report of his proceeding, the expenses of which the Consul or Vice Consul shall cause to be reimbursed to him as well as those of salvage.

[7.] The merchandize and effects saved shall be deposited in the custom house or other nearest place of safety, with the inventory of them which shall have been made by the Consul or Vice Consul, or by the judge who shall have proceeded in their absence, that the said effects and merchandize may be afterwards delivered after levying there from the costs, and without form of process to the owners, who being furnished

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with a replevy from the nearest Consul or Vice Consul shall reclaim them by themselves, or by their attorneys, either for the purpose of re-exporting the merchandize, and in that case they shall pay no duties of exportation, for the purpose of selling them in the country if they are not prohibited, and in this latter case, the said merchandize being averaged, there shall be granted them an abatement of the entrance duties proportioned to the damage sustained, which shall be ascertained by the verbal process formed at the time of the shipwreck, or of the vessels running ashore.

It is proposed to restore this article, which is nearly reduced as it was in the first project. It is absolutely impossible to refuse the Consul civil jurisdiction aboard the vessels belonging to his nation, and over the same crew. This would be the more unreasonable, as by the following articles this same civil jurisdiction is granted to him over residents ashore belonging to his nation, and it is much more reasonable that he ought to preserve it over such as remain under the national flag. The exercise of maritime police over national vessels is the principal function of Consuls.

ARTICLE VIII. The Consuls and Vice Consuls shall exercise the police over all the vessels of their respective nations and shall have on board the said vessel all power and jurisdiction in civil matters in all the disputes which may there arise. They shall have an entire inspection over the said vessels, their crews, and the changes and substitutions there to be made, and there shall cause to be executed the respective laws, ordinances, and rules concerning navigation; for which purpose they shall go on board the said vessels whenever they may judge it necessary, without interruption from any officer or other person whatsoever.

This article, relating to the delivery of the sailors, deserters, appears as though it ought to be detached from the preceding one; it has been endeavored to reduce it to a simple form, and to prevent all difficulty by regulating the recourse of the Consuls to the territorial magistrates. No mention has been made of the passengers, as it appeared not proper to insist on this matter. The deserters from the King's ships are not distinguished from those belonging to merchant vessels.

ARTICLE IX. The Consuls and Vice Consuls may cause to be arrested, the captains, officers, mariners, sailors, and all other persons, being part of the crews of the vessels of their respective nation, who shall have deserted from the said vessels, in order to send them back and transport them out of the country; for which purpose, the said Consuls and Vice Counsuls shall address themselves to the courts, Judges and officers competent, and shall demand the said deserters in writ-

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The Consuls can claim both in the same manner. The part which concerned sending back the vessels has been totally omitted.

This explanation of Mr. Jefferson may be left. The expression breach of the peace being the literal translation of the English expression suitable to this article.

It is proposed to add this article in order to prevent the inconveniences that might result from the liberty which the territorial magistrates might have to arrest the crews of merchant vessels, and then arbitrarily detain the vessels in the port, and by that means suspend all activity in commerce and navigation. The advice given to the Consuls or Vice Consuls that all these acts of authority be done only in their presence, by no means suspends the course of justice, seeing he cannot oppose it, but he will be in a situation to make claims which will prevent the effect of surprizes which might be attempted on the local magistrates, by demanding from them decrees or warrants, the fatal consequences of which they might be left in ignorance of. The Consuls and Vice Consuls duly notified might legally proceed according to circumstances for the general inteing, proving by an exhibition o the registers of the vessels o ship's roll, that those men wer part of the said crews, an on this demand, thus proved, the delivery shall not be refused, and there shall be given all aid and assistance to the said Consuls and Vice Consuls, for the search, seizure and arrest of the said deserters, who shall even be detained and kept in the prisons of the country, at their request and expense, until they shall have found an opportunity of sending them back. But if they be not sent back within three months, to be counted from the day of arrest, they shall be set at liberty, and shall no more be arrested for the same cause.

ARTICLE X. In cases where the respective subjects or citizens shall have committed any crime or breach of the peace, they shall be amenable to the judges of the country.

ARTICLE XI. When the said offenders shall be a part of the crew of a vessel of their nation, and shall have withdrawn themselves on board their said vessels they may be there seized and arrested, but the delivery shall be first demanded by the territorial magistrates from the Consuls of their nation, who shall not refuse it, and whenever it shall be judged necessary to make inquiry and search on board the said merchant vessels, such cannot be made but in the presence of the said Consuls and Vice Consuls, or until after they shall have been informed and invited to repair on board. But at any rate no person can be seized or arrested either on account of crimes, debts, or for any other causes whatsoever, on board the said vessels, but in presence of the said Consuls or Vice Consuls, or until after they shall have been duly notified. The said persons thus seized and

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rests of commerce, and those of their nation in particular.

The last part of this article is important; it does not appear that there can be any difficulty in delivering to the Consuls or Vice Consuls, the persons arrested under the flag of their nation, when there shall be no longer any occasion to detain them in the territorial prisons, and consequently the justice of the country shall have no further right over them. The precaution taken in this article is necessary to prevent desertion; without which, a sailor who wished to desert, might concert measures with a person of the country to be arrested for a supposed debt, remain in prison until the sailing of the vessel, and afterwards set at liberty. This reprehensible manœuvre has been practised already.

It is contrary to all the principles of the right of nations, that the civil and military magistrates exercise any authority whatever on board the vessels of war belonging to a friendly nation, and this article is conformable to regulations with other nations, particularly with what has been agreed to in the project of a Convention with the republic of Genoa.

arrested shall not afterwards be set at liberty until the Consul or Vice Consul shall have been notified thereof, and they shall be delivered to him, if he requires it, to be put again on board the vessels in which they were arrested, or others of their nation, to be sent out of the country.

ARTICLE XII. No search shall in anywise be made on board of the respective ships of war. But if there is reason to suppose that offenders have taken refuge on board them, the delivery shall be demanded by the magistrates or territorial officers, from the Consul or Vice Consul of the nation, or from the commanders of the said vessels. In the ports where there shall be no Consul or Vice Consul, the said commanders shall not refuse to deliver up the offenders, and send them ashore to be put into the hands of the magistrates or officers. In case the commanders of the aforesaid vessels of war should declare that the offenders are not on board their vessels, they shall be believed on their words, without any further search being made.

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This article is the 9th of Mr. Jefferson's project. Some words have only been added to designate in a more particular manner, the affairs between the crews of vessels belonging to the same nation which appertains in a special manner to the consular jurisdiction. It is proposed to retrench the words: *if one of the parties demand it*, because the recourse to foreign tribunals in such cases, is absolutely illegal for Frenchmen.

ARTICLE XIII. All differences and suits between the subjects of the most Christian King in the United States, or between the citizens of the United States within the dominions of the most Christian King, and particularly all disputes relative to the wages and terms of engagement of the crews of the respective vessels, and all differences of whatever nature they be, which may arise between the privates of the said crews, or between any of them and their captains, or between the captains of different vessels of their nation, shall be determined by the respective Consuls and Vice Consuls, either by a reference to arbitrators, or by a summary judgment, and without costs. No officer of the country, civil or military, shall interfere therein, or take any part whatever in the matter; and the appeals from the said consular sentences shall be carried before the tribunals of France or of the United States, to whom it may appertain to take cognizance thereof.

ARTICLE XIV. The general utility of commerce having caused to be established within the dominions of the most Christian King particular tribunals and forms for expediting the decision of commercial affairs, the merchants of the United States shall enjoy the benefit of these establishments; and the Congress of the United States will provide in the manner the most conformable to its laws, equivalent advantages in favor of the French merchants for the prompt despatch and decision of affairs of the same nature.

ARTICLE XV. The subjects of the most Christian King and citizens of the United States, who shall prove by legal evidence that they are of the said nations respectively, shall in consequence

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enjoy an exemption from all personal service in the place of their settlement.

ARTICLE XVI. If any other nation require by virtue of any convention whatever, a treatment more favorable with respect to the Consular pre-eminences, powers, authority, privileges, the Consuls and Vice Consuls of the most Christian King, or of the United States reciprocally, shall participate therein, agreeable to the terms stipulated by the 2nd, 3rd and 4th articles of the treaty of amity and commerce concluded between the most Christian King and the United States.

ARTICLE XVII. The present convention shall be in full force during the term of twelve years, to be counted from the day of the exchange of the ratifications, which shall be in proper form and exchanged on both sides within the space of one year, or sooner if possible.

In faith whereof, &c.

ARTICLE I. Agreed.

ARTICLE II. The words "*jouiront respectivement de l'immunité personelle, sauf les cas de crimes ou de dettes,*" are omitted, two descriptions of persons are well known to the laws of both countries. 1st. Those subject to the laws of the land, and 2nd. Those subject only to the laws of nations. The obligations and the privileges of each of these are so well settled, that few or no disputes can arise about them. But a middle character between the two would be new and unknown, and would introduce endless questions and discussions. If it be thought that the words "*sauf les cas de crimes*

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ou de dettes, replace them freely under the law of the land, then the whole passage is useless. If the exception be as broad as the rule, both may be omitted. But in truth, the exception as to "crimes and debts" would not replace them fully under the laws of the land; for 1. They would not be obliged to give testimony in a court of justice. 2. They are cases of trespass, of trust, and of special contract, not included in a strict and legal acceptation of the terms "crimes and debts," and in which, therefore, they would be exempted from the justice of the country.

It is proposed, also, to omit the words "*toutes les personnes attachées aux fonctions consulaires*," to prevent the abuses which would inevitably arise from an extension of the consular immunities to an indefinite number of persons. The subordinate characters really attached to the Consulate, will be completely protected against avocation from their duties, or molestation in the exercise of them by the fifteenth article, "exempting them from all personal services," which is all that can be desired, if they be foreigners, and which ought not to be desired, if they be natives. For no native should have it in his power to withdraw himself from an obedience to the laws of his country, while he remains in it.

ARTICLE III. Agreed.

ARTICLE IV. Agreed.

ARTICLE V. Agreed, only re-establishing the words "*comme le feraient*" instead of "*et auront la même force que.*"

ARTICLE VI. Agreed.

ARTICLE VII. Agreed.

ARTICLE VIII. This article proposes to give to Con-

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suls, 1st, civil jurisdiction on board their vessels. 2nd, a power to execute the ordinances relative to navigation. 3rd, a right to go on board for these purposes at all times, without hindrance, the first and third of these admit of no difficulty; but the second could not be agreed to, because it establishes a whole code at once, the contents of which are unknown to the party within whose territory it is to be executed. When each concedes to the other a civil jurisdiction within its own ports, it knows the extent of its concession; but when it permits the enforcement of all the navigation laws of the other, in a lump, it does not know what it concedes. They may include a criminal jurisdiction, they may be contrary to bills of rights; or, if not so at present, they may be hereafter. It is surely prudent and honorable for us to stipulate to each other only what we know we can execute. But we do not know we can execute, if we do not know what we stipulate.

ARTICLE IX. Agreed, with two alterations. 1st. Omitting the words "*et autres personnes,*" because the others "*capitaines, officiers, mariniers et matelots,*" are supposed to comprehend the whole crew. If they do not, it will be better to add other specifications, rather than words so indefinite as "*autres personnes.*" 2nd. Omitting "*par l'exhibition des régistres du bâtiment ou rôle d'equipage.*" I suppose that the legal construction of these words must be weaker under the laws of France than of the United States; otherwise they would not be proposed. Their effect in the United States would be to make the ship's roll so conclusive that no contrary evidence could be opposed to it. A master of a ship, for instance, inserting in his roll the name of a citizen of the United

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States, who had never seen his ship, that citizen must be delivered to him, if these words were to remain. It is not probable, indeed, that the master of a ship would be so indiscreet, but, neither is it proper to rest personal liberty on the discretion of a master of a ship. Without these words, the clause will stand "*en justifiant que ses hommes faisaient partie des susdits equipages,*" his claim may then be supported and contested, as all other claims may be, by every species of legal evidence. He will stand on the same footing with native officers reclaiming their deserted sailors.

Article x. Agreed.

Article xi. This article proposes, 1st. That there shall be no arrest for crimes or debts, but in presence of the Consul or Vice Consul. 2nd. That no ship shall be searched but in his presence. These propositions are new. The principle on which we have proceeded hitherto, has been that, in all cases, where the nation, or any member of it, is concerned, the national jurisdiction shall have free and unrestrained course. But this article proposes to clog it, with applications to the foreign Consul, and that it shall await his attendance, if he chooses to attend. How quickly he may attend, will depend on his being readily found, on his being disengaged, on his distance from the ship, on his personal activity and good faith. Some, or all of these circumstances, will generally give full time for the criminal or debtor to escape, or for the contraband goods to be withdrawn.

That part of this article which is intended to prevent a collusive desertion of sailors, not being liable to the same objections, is agreed to, as follows: "*Lorsque les dits coupables feront partie, de l'équipage de l'un des bâ-*

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timents de leur nation, ils ne pourront être ensuite mis en liberté qu' après que le Consul ou Vice Consul, en aura été prévenu et ils lui seront remis, s'il le requiert, pour être reconduits sur les bâtiments ou ils auraient été arrettés ou autres de leur nation, et être renvoyés hors du pays.

Article xii. This article is new, also; and liable to the same objections with the preceding, and in a higher degree, as rendering the ports of the two nations still more completely extra-territorial. The clause which would make the captain's word conclusive evidence that the criminal who is seen standing on his deck, is not there, comes under all the objections which were made in a former paper, to whatever should control a fair and full investigation of a fact. Our laws permit every species of proof, to be opposed by counter proof. The Convention of the neutral powers in the late war, made the captain's word conclusive evidence, that no contraband goods were on board the vessels under his convoy; but this in cases arising on the high seas. The sea belongs to no nation. No nation, therefore, has a natural right to search the ships of another on the high seas. The contrary practice has been an abuse, and the abandonment of it is a reformation of that abuse, a re-establishment of natural right. But the ports of a nation are a part of its territory. They are often within the body of a town, and an immunity from the restraint of law granted to strangers within the port, would be as productive of disorder, as if granted to those in the town, or in the country. All judges, civil and criminal, derive their authority from the Sovereign of the country wherein they act. For the encouragement of commerce, it is become

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usual to permit, by Conventions, foreign merchants of the same country to refer their disputes to a judge of their own. But in criminal cases, in cases which interest numbers of their own, or any other State, or the State itself, it is apprehended not to be the practice for the nation to part with its authority, and that neither order nor justice would be promoted by it. Particularly to leave to the discretion of a captain, whether his ship shall be an asylum for fugitive debtors, whether the disorders or crimes committed by his sailors, or by others, taking refuge in his ship, should be punished, or not, cannot be a means of encouraging the commerce between the two nations, nor promote the interest or honor of either. Nor has the impunity any relation to the functions of a Consul, which are the sole object of the present Convention.

ARTICLE XIII. XIV. XV. XVI. and XVII. Agreed.

No. 4.

SECOND FORM PROPOSED ON THE PART OF THE UNITED STATES.

Convention between his Most Christian Majesty and the United States of America, for the purpose of defining and establishing the functions and privileges of their respective Consuls and Vice Consuls.

His Majesty, the Most Christian King, and the United States of America, having, by the twenty-ninth article of the treaty of amity and commerce, concluded between them, mutually granted the liberty of having, in their respective States and ports, Consuls, Vice Consuls,

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Agents and Commissaries, and being willing, in consequence thereof, to define and establish in a reciprocal and permanent manner, the functions and prerogatives of Consuls and Vice Consuls, which they have judged it convenient to establish of preference, his Most Christian Majesty has nominated the Sieur ———, and the United States have nominated ———, who, after having communicated to each other their respective full powers, have agreed on what follows:

ARTICLE I. The Consuls and Vice Consuls named by the Most Christian King and the United States, shall be bound to present their commissions, according to the forms which shall be established respectively by the Most Christian King, within his dominions, and by the Congress, within the United States. There shall be delivered to them, without any charges, the exequatur necessary for the exercise of their functions; and, on exhibiting the said exequatur, the governors, commanders, heads of justice, bodies corporate, tribunals or other officers, having authority in the ports and places of their Consulates, shall cause them to enjoy, immediately, and without difficulty, the pre-eminences, authority and privileges, reciprocally granted, without exacting from the said Consuls and Vice Consuls, any fee, under any pretext whatever.

ARTICLE II. The Consuls and Vice Consuls shall enjoy a full and entire immunity for their chancery, and the papers therein contained, they shall be exempt from all personal service, from soldiers billets, militia, watch, guard, guardianship, trusteeship, as well as from all duties, taxes, impositions and charges, whatsoever, except on the estate real and personal of which they may be

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the proprietors or possessors, which shall be subject to the taxes imposed on the estates of all other individuals; and in all other instances they shall be subject to the laws of the land as the natives are.

Those of the said Consuls and Vice Consuls, who shall exercise commerce, shall be respectively subject to all taxes, charges and impositions, established on other merchants.

They shall place over the outward door of their houses, the arms of their Sovereign, without that, this mark of distinction shall give to the said houses the right of asylum, for any person or property whatsoever.

Article iii. The respective Consuls and Vice Consuls may establish agents in the different ports and places of their departments, when necessity shall require. These agents may be chosen among the merchants, either national or foreign, and furnished with a commission from one of the said Consuls, they shall confine themselves respectively to the rendering to their respective merchants, navigators and vessels, all possible service, and to inform the nearest Consul of the wants of the said merchants, navigators and vessels, without the said agents otherwise participating in the immunities attributed to Consuls and Vice Consuls, and without power, under any pretext whatever, to exact from the said merchants any duty or emolument whatever.

Article iv. The respective Consuls and Vice Consuls may establish a chancery, where shall be deposited the Consular deliberation, acts and proceedings, as also testaments, obligations, contracts and other acts done by, or between persons of their nations, and effects left by deceased persons, or saved from shipwreck.

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They may consequently appoint for the business of the said chancery, capable persons, receive them, administer an oath to them, give to them the keeping of the seal, and the right of sealing commissions, judgments, and other Consular acts, as well as there to discharge the functions of notaries and registers of the Consulate.

ARTICLE V. The respective Consuls and Vice Consuls shall have the exclusive right of receiving in their chancery, or on board of vessels, the declarations and all the other acts which the captains, masters, seamen, passengers and merchants of their nation would make there, even their testaments and other dispositions of last will; and in the copies of the said acts, duly authenticated by the said Consuls or Vice Consuls, under the seal of their Consulate, shall receive faith in law equally as their originals would, in all the tribunals of the dominions of the Most Christian King and the United States.

They shall also have, and exclusively, in case of the absence of the testamentary executor, guardian or lawful heirs, the right to inventory, liquidate, and proceed to the sale of the personal estate left by subjects or citizens of their nation, who shall die within the extent of their consulate, they shall proceed therein, with the assistance of two merchants of their said nation, or for want of them, of any other at their choice, shall cause to be deposited in their chancery, the effects and papers of the said estates, and no officer, military, judiciary, or of the police, of the country, shall disturb them, or interfere therein, in any manner whatsoever; but the said Consuls or Vice Consuls shall not deliver up the said effects, nor the proceeds thereof, to the lawful representatives, or to their order, till they shall have caused to be paid

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all debts which the deceased shall have contracted in the country; for which purpose, the creditors shall have a right to attach the said effects in their hands as they might in those of any other individual whatever, and proceed to obtain sale of them, till payment of what shall be lawfully due to them. When the debts shall not have been contracted by judgment, deed or note, the the signature whereof shall be known, payment shall not be ordered but on the creditors giving sufficient surety resident in the country, to refund the sums he shall have unduly received, principal, interest and costs, which surety shall, nevertheless, remain duly discharged, after a year in time of peace, and two years in time of war, if the demand in discharge cannot be formed before these delays against the heirs which shall present themselves.

And in order that the representatives may not be unjustly kept out of the effects of the deceased, the Consuls and Vice Consuls shall notify his death in some one of the gazettes published within their consulate, and that they shall retain the said effects in their hands, four months, to answer all just demands which shall be presented; and they shall be bound, after this delay, to deliver to the persons succeeding thereto, what shall be more than sufficient for the demands which shall have been formed.

Article vi. The respective Consuls and Vice Consuls shall receive the declarations, protests and reports, of all captains and masters of their respective nations, on account of average losses sustained at sea; and these captains and masters shall lodge in the chancery of the said Consuls and Vice Consuls, the acts which may have happened to them on their voyage. If a subject

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of the most Christian King, and a citizen of the United States, or a foreigner, are interested in the said cargo, the average shall be settled by the tribunals of the country, and not by the Consuls or Vice Consuls; but when only the subjects or citizens of their own nation shall be interested, the respective Consuls or Vice Consuls shall appoint skilful persons to settle the damage and average.

ARTICLE VII. In cases where, by tempests or other accidents, French ships or vessels shall be stranded on the coasts of the United States, and ships or vessels of the United States shall be stranded on the coasts of the dominions of the most Christian King, the Consul or Vice Consul nearest to the place of shipwreck, shall do whatever he may judge proper, as well for the purpose of saving the said ship or vessel, its cargo and appurtenances, as for the storing and security of the effects and merchandize saved. He may take an inventory of them without the intermeddling of any officers of the military, of the customs, of justice, or of the police, of the country, otherwise than to give the Consuls, Vice Consuls, captains and crew, of the vessel or ship wrecked or stranded, all the succor and favor which they shall ask of them, either for the expedition and security of the saving and of the effects saved, as to prevent all disturbance.

To prevent even any kind of dispute and discussion in the said cases of shipwreck, it has been agreed, that where no Consul or Vice Consul shall be found to attend to the salvage, or that the residence of the said Consul or Vice Consul (he not being at the place of shipwreck) shall be further distant from the said place than that of the competent territorial Judge, the latter shall immediately proceed therein with all the celerity, safety and

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precaution, prescribed by the respective laws; but the said territorial Judge shall retire on the coming of the Consul or Vice Consul, and shall resign to him the procedures by him done, the expenses of which the Consul or Vice Consul shall cause to be re-imbursed to him, as well as those of saving the wreck.

The merchandize and effects saved shall be deposited in the custom house or other nearest place of safety, with the inventory thereof which shall be made by the Consul or Vice Consul, or in their absence by the judge who shall have had cognizance thereof, that the said effects and merchandize may afterwards be delivered, after levying therefrom the costs, and without form of process to the proprietors, who being furnished with a replevy from the nearest Consul or Vice Consul, shall reclaim them by themselves, or by their attorneys, either for the purpose of re-exporting the merchandizes, and in that case they shall pay no kind of duties of exportation; or for the purpose of selling them in the country, if they are not prohibited, and in this latter case the said merchandize being averaged, there shall be granted them an abatement of the entrance duties proportioned to the damage sustained, which shall be ascertained by the verbal process formed at the time of the shipwreck or of the vessels running ashore.

Article viii. The Consuls and Vice Consuls shall have on board of the vessels of their respective nations all power and jurisdiction in civil matters, and for this purpose they may go there without being interrupted by any officer or other person whatsoever.

Article ix. The Consuls and Vice Consuls may cause to be arrested the captains, officers, mariners, sai-

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lors of the crews of the vessels of their respective nations, who shall have deserted from the said vessels, in order to send them back and transport them out of the country. For which purpose the said Consuls and Vice Consuls shall address themselves to the competent tribunals, judges and officers, and shall demand from them the said deserters in writing, proving that those men made a part of the said crew, and on this demand so proved, the delivery shall not be refused, and there shall be given all aid and assistance to the said Consuls and Vice Consuls, for the search, seizure and arrest of the said deserters, who shall even be detained and kept in the prisons of the country, at their request and expense, until they shall have found an opportunity of sending them back. But if they be not sent back within three months, to be counted from the day of arrest, they shall be set at liberty, and be no more arrested for the same cause.

ARTICLE X. In cases where the respective subjects or citizens shall have committed any crime or breach of the peace, they shall be amenable to the judges of the country.

ARTICLE XI. When the said offenders shall be a part of the crew of a vessel of their nation, they shall not afterwards be set at liberty until the Consul or Vice Consul shall have been notified thereof, and they shall be delivered to him, if he requires it, to be put again on board of the vessel, on which they were arrested, or of others of their nation, and to be sent out of the country.

ARTICLE XII. All differences and suits between the subjects of the most Christian King in the United States, or between the citizens of the United States within the dominions of the most Christian King, and particularly

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all disputes relative to the wages and terms of engagement of the crews of the respective vessels, and all differences of whatever nature they be, which may arise between the privates of the said crews, or between any of them and their captains, or between the captains of different vessels of their nation, shall be determined by the respective Consuls and Vice Consuls, either by a reference to arbitration, or by a summary judgment, and without costs. No officer of the country, civil or military, shall interfere therein, or take any part whatever in the matter, and the appeals from the said Consular sentences shall be carried before the tribunals of France or of the United States, to whom it may appertain to take cognizance thereof.

Article xiii. The general utility of commerce having caused to be established within the dominions of the most Christian King, particular tribunals and forms for expediting the decision of commercial affairs, the merchants of the United States shall enjoy the benefit of these establishments; and the Congress of the United States will provide in the manner most conformable to its laws, equivalent advantages in favor of the French merchants for the prompt despatch and decision of affairs of the same nature.

Article xiv. The subjects of the most Christian King and the citizens of the United States, who shall prove by legal evidence that they are of the said nation respectively, shall in consequence, enjoy an exemption from all personal service in the place of their settlements.

Article xv. If any other nation requires by virtue of any convention whatever, a treatment more favorable

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with respect to the consular pre-eminences, powers, authority, and privileges, the Consuls and Vice Consuls of the Most Christian King, or of the United States reciprocally shall participate therein, agreeably to the terms stipulated by the 2nd, 3rd, and 4th articles of the treaty of amity and commerce, concluded between the Most Christian King and the United States.

ARTICLE XVI. The present convention shall be in force during the term of twelve years, to be counted from the day of the exchange of ratifications, which shall be given in proper form and exchanged on both sides, within the space of one year or sooner if possible.

In faith whereof, &c.

No. 5.

CONSULAR CONVENTION.

Convention between his Most Christian Majesty and the United States of America, for the purpose of defining and establishing the functions and privileges, of their respective Consuls and Vice Consuls.

His Majesty, the Most Christian King, and the United States of America, having, by the twenty-ninth article of the treaty of amity and commerce, concluded between them, mutually granted the liberty of having, in their respective States and ports, Consuls, Vice Consuls, Agents and Commissaries, and being willing, in consequence thereof, to define and establish in a reciprocal and permanent manner, the functions and privileges of Consuls and Vice Consuls, which they have judged it convenient to establish of preference, his Most Christian

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Majesty has nominated the Sieur Count of Montmorin of St. Herent, Mareschal of his Camps and Armies, Knight of his Orders and of the Golden Fleece, his Counsellor in all his Councils, Minister and Secretary of State and of his Commandments and Finances, having the Department of Foreign Affairs, and the United States have nominated Thomas Jefferson, citizen of the United States of America and their Minister Plenipotentiary near the King, who, after having communicated to each other their respective full powers, have agreed on what follows:

Article I. The Consuls and Vice Consuls named by the Most Christian King and the United States, shall be bound to present their commissions, according to the forms which shall be established respectively by the Most Christian King, within his dominions, and by the Congress, within the United States. There shall be delivered to them, without any charges, the exequatur necessary for the exercise of their functions; and, on exhibiting the said exequatur, the governors, commanders, heads of justice, bodies corporate, tribunals and other officers, having authority in the ports and places of their Consulates, shall cause them to enjoy, immediately, and without difficulty, the pre-eminences, authority and privileges, reciprocally granted, without exacting from the said Consuls and Vice Consuls, any fee, under any pretext whatever.

Article II. The Consuls and Vice Consuls and persons attached to their functions that is to say, their Chancellors and Secretaries, shall enjoy a full and entire immunity for their chancery, and the papers which shall be therein contained, they shall be exempt from

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all personal service, from soldiers' billets, militia, watch, guard, guardianship, trusteeship, as well as from all duties, taxes, impositions and charges, whatsoever, except on the estate real and personal of which they may be the proprietors or possessors, which shall be subject to the taxes imposed on the estates of all other individuals; and in all other instances they shall be subject to the laws of the land as the natives are.

Those of the said Consuls and Vice Consuls, who shall exercise commerce, shall be respectively subject to all taxes, charges and impositions, established on other merchants.

They shall place over the outward door of their house, the arms of their Sovereign, but this mark of indication shall not give to the said house any privilege of asylum, for any person or property whatsoever.

Article III. The respective Consuls and Vice Consuls may establish agents in the different ports and places of their departments, where necessity shall require. These agents may be chosen among the merchants, either national or foreign, and furnished with a commission from one of the said Consuls, they shall confine themselves respectively to the rendering to their respective merchants, navigators and vessels, all possible service, and to inform the nearest Consul of the wants of the said merchants, navigators and vessels, without the said agents otherwise participating in the immunities, rights, and privileges attributed to Consuls and Vice Consuls, and without power, under any pretext whatever, to exact from the said merchants any duty or emolument whatsoever.

Article IV. The Consuls and Vice Consuls respec-

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tively may establish a chancery, where shall be deposited the Consular determinations, acts and proceedings, as also testaments, obligations, contracts and other acts done by, or between persons of their nation, and effects left by decedents or saved from shipwreck.

They may consequently appoint fit persons to act in the said chancery, qualify and swear them in, commit to them the custody of the seal, and authority to seal commissions, sentences and other consular acts, and also to discharge the functions of notaries and registers of the Consulate.

Article v. The Consuls and Vice Consuls respectively shall have the exclusive right of receiving in their chancery, or on board their vessels, the declarations and all other the acts which the captains, masters, crews, passengers and merchants of their nation may choose to make there, even their testaments and other disposals by last will; and the copies of the said acts, duly authenticated by the said Consuls or Vice Consuls, under the seal of their Consulate, shall receive faith in law equally as their originals would, in all the tribunals of the dominions of the Most Christian King and of the United States.

They shall also have, and exclusively, in case of the absence of the testamentary executor, guardian or lawful representative, the right to inventory, liquidate, and proceed to the sale of the personal estate left by subjects or citizens of their nation, who shall die within the extent of their consulate, they shall proceed therein, with the assistance of two merchants of their said nation, or for want of them, of any other at their choice, and shall cause to be deposited in their chancery, the effects and papers of the said estates, and no officer, military, judiciary, or of the police, of the country, shall disturb them, or inter-

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fere therein, in any manner whatsoever; but the said Consuls and Vice Consuls shall not deliver up the said effects, nor the proceeds thereof, to the lawful representatives, or to their order, till they shall have caused to be paid all debts which the deceased shall have contracted in the country; for which purpose, the creditors shall have a right to attach the said effects in their hands as they might in those of any other individual whatever, and proceed to obtain sale of them, till payment of what shall be lawfully due to them. When the debts shall not have been contracted by judgment, deed or note, the signature whereof shall be known, payment shall not be ordered but on the creditors giving sufficient surety resident in the country, to refund the sums they shall have unduly received, principal, interest and costs, which surety nevertheless, shall, stand duly discharged, after the term of one year in time of peace, and of two in time of war, if the discharge cannot be formed before the end of this term against the representatives who shall present themselves.

And in order that the representatives may not be unjustly kept out of the effects of the deceased, the Consuls and Vice Consuls shall notify his death in some one of the gazettes published within their consulate, and that they shall retain the said effects in their hands, four months, to answer all just demands which shall be presented; and they shall be bound, after this delay, to deliver to the persons succeeding thereto, what shall be more than sufficient for the demands which shall have been formed.

ARTICLE VI. The Consuls and Vice Consuls respectively shall receive the declarations, protests and reports,

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of all captains and masters of their respective nation, on account of average losses sustained at sea; and these captains and masters shall lodge in the chancery of the said Consuls and Vice Consuls, the acts which they may have made in other ports on account of the accidents which may have happened to them on their voyage. If a subject of the most Christian King, and a citizen of the United States, or a foreigner, are interested in the said cargo, the average shall be settled by the tribunals of the country, and not by the Consuls or Vice Consuls; but when only the subjects or citizens of their own nation shall be interested, the respective Consuls or Vice Consuls shall appoint skilful persons to settle the damages and average.

Article vii. In cases where, by tempests or other accidents, French ships or vessels shall be stranded on the coasts of the United States, and ships or vessels of the United States shall be stranded on the coasts of the dominions of the most Christian King, the Consul or Vice Consul nearest to the place of shipwreck, shall do whatever he may judge proper, as well for the purpose of saving the said ship or vessel, its cargo and appurtenances, as for the storing and security of the effects and merchandize saved. He may take an inventory of them without the intermeddling of any officers of the military, of the customs, of justice, or of the police, of the country, otherwise than to give to the Consuls, Vice Consuls, captain and crew, of the vessel shipwrecked or stranded, all the succor and favor which they shall ask of them, either for the expedition and security of the saving and of the effects saved, as to prevent all disturbance.

And in order to prevent all kind of dispute and discus-

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sion in the said cases of shipwreck, it is agreed, that when there shall be no Consul or Vice Consul to attend to the saving of the wreck, or that the residence of the said Consul or Vice Consul (he not being at the place of the wreck) shall be more distant from the said place than that of the competent Judge of the country, the latter shall immediately proceed therein with all the despatch, certainty and precautions prescribed by the respective laws; but the said territorial Judge shall retire on the arrival of the Consul or Vice Consul, and shall deliver over to him the report of his proceedings, the expenses of which the Consul or Vice Consul shall cause to be reimbursed to him, as well as those of saving the wreck.

The merchandize and effects saved shall be deposited in the nearest custom house or other place of safety, with the inventory thereof, which shall be made by the Consul or Vice Consul, or by the judge who shall have proceeded in their absence, that the said effects and merchandize may afterwards be delivered, after levying therefrom the costs, and without form of process to the owners, who being furnished with an order for their delivery from the nearest Consul or Vice Consul, shall reclaim them by themselves, or by their order, either for the purpose of re-exporting such merchandize, in which case they shall pay no kind of duty of exportation; or for that of selling them in the country, if they be not prohibited there, and in this last case the said merchandize, if they be damaged, shall be allowed an abatement of entrance duties proportioned to the damage they have sustained, which shall be ascertained by the affidavits taken at the time the vessel was wrecked or struck.

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ARTICLE VIII. The Consuls and Vice Consuls shall exercise police over all the vessels of their respective nations and shall have on board the said vessels all power and jurisdiction in civil matters, in all the disputes which may there arise, they shall have an entire inspection over the said vessels, their crew and the changes and substitutions there to be made. For which purpose they may go on board the said vessels whenever they may judge it necessary. Well understood that the functions hereby allowed shall be confined to the interior of the vessels, and that they shall not take place in any case which shall have any interference with the police of the ports where the said vessels shall be.

ARTICLE IX. The Consuls and Vice Consuls may cause to be arrested the captains, officers, mariners, sailors and all other persons being part of the crews of the vessels of their respective nations, who shall have deserted from the said vessels, in order to send them back and transport them out of the country. For which purpose the said Consuls and Vice Consuls shall address themselves to the courts, judges and officers competent, and shall demand the said deserters in writing, proving by an exhibition of the registers of the vessel or ship's roll that those men were part of the said crews; and on this demand so proved, (saving however where the contrary is proved,) the delivery shall not be refused, and there shall be given all aid and assistance to the said Consuls and Vice Consuls, for the search, seizure and arrest of the said deserters, who shall even be detained and kept in the prisons of the country, at their request and expense, until they shall have found an opportunity of sending them back. But if they be not sent back

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within three months, to be counted from the day of their arrest, they shall be set at liberty, and shall be no more arrested for the same cause.

ARTICLE X. In cases where the respective subjects or citizens shall have committed any crime or breach of the peace, they shall be amenable to the judges of the country.

ARTICLE XI. When the said offenders shall be a part of the crew of a vessel of their nation, and shall have withdrawn themselves on board the said vessel they may be there seized and arrested by order of the Judges of the country: these shall give notice thereof to the Consul or Vice Consul, who may repair on board if he thinks proper: but this notification shall not in any case delay execution of the order in question. The persons arrested shall not afterwards be set at liberty until the Consul or Vice Consul shall have been notified thereof, and they shall be delivered to him, if he requires it, to be put again on board of the vessel, on which they were arrested, or of others of their nation, and to be sent out of the country.

ARTICLE XII. All differences and suits between the subjects of the most Christian King in the United States, or between the citizens of the United States within the dominions of the most Christian King, and particularly all disputes relative to the wages and terms of engagement of the crews of the respective vessels, and all differences of whatever nature they be, which may arise between the privates of the said crews, or between any of them and their captains, or between the captains of different vessels of their nation, shall be determined by the respective Consuls and Vice Consuls, either by a re-

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ference to arbitrators, or by a summary judgment, and without costs. No officer of the country, civil or military, shall interfere therein, or take any part whatever in the matter, and the appeals from the said Consular sentences shall be carried before the tribunals of France or of the United States, to whom it may appertain to take cognizance thereof.

Article xiii. The general utility of commerce having caused to be established within the dominions of the most Christian King, particular tribunals and forms for expediting the decision of commercial affairs, the merchants of the United States shall enjoy the benefit of these establishments; and the Congress of the United States will provide in the manner the most conformable to its laws, equivalent advantages in favor of the French merchants for the prompt despatch and decision of affairs of the same nature.

Article xiv. The subjects of the most Christian King and citizens of the United States, who shall prove by legal evidence that they are of the said nation respectively, shall in consequence, enjoy an exemption from all personal service in the place of their settlement.

Article xv. If any other nation acquires by virtue of any convention whatever, a treatment more favorable with respect to the consular pre-eminencies, powers, authority and privileges, the Consuls and Vice Consuls of the Most Christian King or of the United States reciprocally shall participate therein, agreeable to the terms stipulated by the 2nd, 3rd, and 4th articles of the treaty of amity and commerce, concluded between the Most Christain King and the United States.

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ARTICLE XVI. The present Convention shall be in full force during the term of twelve years to be counted from the day of the exchange of ratifications, which shall be given in proper form, and exchanged on both sides within the space of one year, or sooner if possible.

In faith whereof we, Ministers Plenipotentiary, have signed the present Convention, and have thereto set the seal of our arms.

Done at Versailles, the 14th of November, one thousand seven hundred and eighty-eight.

L. C. DE MONTMORIN, [L. S.]
TH: JEFFERSON, [L. S.]

THE END OF THE THIRD VOLUME.

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